TOPIC

INSPECTION PACK

WORK-RELATED

STRESS

OCTOBER 2011

WORK RELATED STRESS INSPECTION PACK CONTENTS

1   INTRODUCTION

1.1   What is work-related stress?

Work-related stress is defined by the HSE as 'the adverse reaction people have to excessive pressures or other demands placed on them'. This is not the only definition in common usage; there are many others in circulation.

Increasingly, the term psychosocial risk factor is being used to describe those factors, which if not properly managed, can result in cases of work-related stress. The term, psychosocial risk is favoured by the European Union (EU) and is increasingly being included in new directives and guidance. In simple terms, psychosocial refers to the effects of individual psychological factors such as personality and beliefs combined with environmental social factors such as team relationships and organisational culture.

In itself stress is not an illness, it is a natural human reaction, but if this reaction is prolonged over a long time period it can lead to physical and/or mental ill health. Stress is normally included in a group of conditions, along with depression and anxiety, referred to as common mental health conditions. Depression and anxiety are recognized medical conditions with clearly defined diagnostic criteria whereas stress is not. However, there is a large overlap between the causal factors and symptoms of these conditions which is why they are normally grouped together.

1.2   Nature of the problem

Work-related stress, depression or anxiety has been, along with musculoskeletal disorders (MSD), the leading causes of working days lost through work-related injury or ill health over many years.   The estimated incidence and prevalence rates of common mental health problems in the working population have remained fairly static over recent years. However, the days lost per case has been on a downward trend and currently stands at 22.3 days lost per certified case, down from 31 days in 2004.

1.3   Diversity

Inspectors should be aware of who, in terms of diversity are the target group in the sector they are dealing with. It is not about treating everyone the same but about addressing individual requirements in relation to Gender, Age, Disability, Race, Religion and Belief, Sexual orientation and Transgender.

Inspectors should give consideration to and factor into their approach any issues that may surround their audience, such as literacy, English as a second language and disability (access needs).

Public bodies are legally required to eliminate unlawful discrimination and to promote equality of opportunity when organising campaigns, work programmes and policy proposals or reviews.

HSE must ensure the services we provide are accessible and meet the needs of those we serve and the Equality Impact Assessment Toolkit is a way of assessing how a policy/guidance/webpage/regulation affects individuals.

An Equality Impact Assessment (EIA) looks at the actual, potential or likely impact of a service, policy, project or significant change, on different groups of people.

It is also important to include gender issues in workplace risk assessments, and 'mainstreaming' gender issues into risk prevention is now an objective of the European Community.

For further information, please see:

http://intranet/diversity/impact assesessment/index.htm
http://osha.europa.eu/en/publications/factsheets/43

2   STRESS INSPECTIONS

2.1   Overview

The focus of stress inspections is to ensure duty holders are undertaking a suitable and sufficient risk assessment for work-related stress, following the Management Standards for work-related stress (Management Standards) or an equivalent approach. Further background information on the Management Standards can be found in Section 4.

HSE statistics indicate that the health, education, local government, central government and financial services sectors have the highest incidence and prevalence of work-related stress. During the period of the Stress Priority Programme (2004-2009) the above sectors were defined as high priority and subject to proactive inspections.

2.2   The HSE Approach

HSE believes that the Management Standards approach is an efficient and flexible way to carry out a suitable and sufficient risk assessment and organisations are encouraged to take this approach. Organisations can adopt the Standards either wholly or in part so long as the process produces a suitable and sufficient risk assessment.

It is recognised that duty holders may be adopting alternative approaches to risk assessment. Advice and support on assessing the outcomes of equivalent risk assessment processes can be accessed via HSE's Human Factors, Ergonomics and Psychology Unit (HFEP) Unit.

A suitable and sufficient risk assessment should cover the following:
- Hazard identification (which will entail data gathering and analysis);
- Gap analysis (comparison of the current state with the "states to be achieved" in the Management Standards (See Appendix 1), or other KPI's);
- Solution development; and,
- Action planning.

Employee involvement and management commitment throughout the risk assessment process are key to ensuring that appropriate hazards are identified and practical solutions are considered. Please refer to the Worker Consultation and Involvement Topic Inspection Pack for general information on employee engagement.

Risk control strategies for work-related stress follow the hierarchy of control approach and can be categorised as:
1) Primary interventions that include organisational strategies for reducing exposure to stressors at work and minimising the risk of work-related stress (equivalent to control at source);

2) Secondary interventions, including stress management training (analogous to minimisation); and

3) Tertiary interventions such as the provision of employee assistance programmes are provided by some duty holders. Such interventions, although not enforceable are considered good practice. They can supplement primary and / or secondary interventions but it is not recommended that these exist in isolation.

Inspectors should emphasise the need for duty holders to focus on implementing primary interventions so far as is reasonably practicable, complemented as appropriate with secondary and tertiary interventions.

Inspectors may find that duty holders do not uniformly implement a risk assessment process across the entire organisation at once. There will be circumstances where duty holders roll out the process in stages or implement in one area of the organisation, refine their process/plan, and then roll out across the rest of the organisation. This is acceptable so long there are clear plans in place to cover the whole organisation.

2.3   Responding to complaints

Investigation of complaints should only be considered where:

- There is evidence that <u>a number of staff</u> are experiencing work-related stress or stress-related ill health; **and**,
- There is scope for effective intervention at the <u>organisational</u> level.

Inspectors should not investigate individual work-related stress complaints and should confine their involvement to assessing <u>organisational</u> arrangements for stress management. Applying health and safety legislation to an <u>individual</u> case of work-related stress is not straight forward because it is difficult to prove a causal link between particular causes and possible workplace stressors to the necessary standard of proof ("beyond reasonable doubt") required for health and safety legislation.

Often individual complaints relate to bullying, harassment or other employment relations issues which are normally managed within the framework of wider employment legislation. This is the responsibility of the Department for Business, Innovation and Skills (BIS - formerly BERR and before that DTI) and HSE does not have the power to investigate individual employee relations cases. In these circumstances individuals should be directed to BIS or the Arbitration Conciliation and Advisory Service (Acas) who are better placed to provide advice on such matters. Contact details for BIS and Acas are provided in Appendix 7.

NB. Work on work-related stress is not intended to deal with post incident trauma, and post-traumatic stress disorders.

2.4   Enforcement guidance

Enforcement action is likely to be limited. In some circumstances, however, action will need to be taken to secure compliance with Regulation 3 of the Management of

Health and Safety at Work Regulations 1999, requiring completion of a suitable and sufficient risk assessment.

There is also evidence that the areas of work design/organisation (Demands, Control, Support, Role, Relationship and Change), included in the HSE Management Standards, can if not adequately managed, give rise to a risk of work-related stress.

If an organisation has failed to respond to advice, has not undertaken a suitable and sufficient risk assessment for work-related stress and shows no evidence of having plans to do so, enforcement action should be considered where the inspector is of the opinion that employees are exposed to risks to their health and safety from exposure to stressors at work. A template Improvement Notice is provided in Appendix 3, requiring the completion of a risk assessment.

A further template Improvement Notice specifically requiring the identification of the preventive and protective measures to be taken to minimise the harm to workers from the identified work-related stressors, i.e. the Action Planning stage, is provided in Appendix 4, as it has been recognised that the stress risk assessment process often stalls at this point.

This should be used as a **standalone** Notice in circumstances where the main body of the risk assessment process has been completed but has stalled at the Action Planning stage, and the inspector is of the opinion that the work-related stressors have not been reduced so far as is reasonably practicable. If inspectors choose to reference the duty holder's risk assessment documentation in this Notice, copies of the relevant part/s of the risk assessment document should be taken as additional proof of the breach.

For both Notices, an initial compliance period of 6 months is suggested.

As mentioned earlier, Inspectors may find that duty holders have conducted a stress risk assessment for certain areas of their organisation but not others. If there is evidence that a suitable and sufficient risk assessment has not been carried out in a particular area department / directorate / site in an organisation, there are no plans to do so and the inspector is of the opinion that employees are exposed to risks to their health and safety from exposure to stressors at work, it is possible to serve an Improvement Notice on that specific part of the organisation.

There are challenges associated with taking enforcement action other than for completion of a risk assessment for work-related stress, for example requiring implementation of any identified preventive and protective measures. This is due in part to the lack of well defined or established cause and effect evidence for the control of workplace stressors. Evidence suggests that there are normally a number of causal factors that contribute to the observed effect.

A checklist of points to consider when serving an Improvement Notice is provided in Appendix 5. Suggested paragraphs to include in a covering letter to accompany an Improvement Notice are provided in Appendix 6.

2.4.1 Checking compliance with Improvement Notices

Judgements as to whether or not a risk assessment is 'suitable and sufficient' can be challenging and time-consuming. It is recommended that inspectors engage with the duty-holder and schedule regular update meetings well in advance of the Notice compliance date. This will allow progress to be assessed and time for the duty holder to request an extension to the Notice if required. Experience suggests that for duty holders using the Management Standards approach it will take between 12 and 15 months for them to reach the stage where an approved action plan is in place. This timeframe assumes that the organisation is starting from scratch with no previous risk assessment in place.

Initial compliance with a Notice should be set at the point an action plan is approved by the duty holder senior management team. The rationale being that many of the interventions detailed within the action plan will take some months or even years to have an impact. Therefore, it is considered impractical to leave a Notice open for such a time period. Follow up visits can be used to check ongoing progress against the approved action plan.

2.5 Enforcement Action Learning

There have been a small number of improvement notices issued for a failure to do a suitable & sufficient risk assessment for work-related stress in recent years. In reality, this means failure to do any form of risk assessment to identify and control the organisational risk factors that can lead to incidents of work-related stress in groups of workers.

Reflecting on the experience of working with public sector organisations has highlighted some common causal factors and lessons from these organisations on how to complete a risk assessment for work related stress. The points made below are not exhaustive, where possible the lessons learned have been integrated into revised HSE guidance available from the stress web site.

The common contributing causal factors include, but are not limited to, the following:
- Poor leadership
- Transient senior management team
- Not seeing mental health or stress as an issue
- Other competing priorities
- Poor change management

Keys to a successful intervention include, but are not limited to, the following:
- Senior management commitment
- Appointment of a driven 'champion' to lead the risk assessment process
- The appointment of a steering group or other working group to facilitate the Management Standards approach
- Steering group members who represent all internal stakeholders; senior management, HR, occupational health, unions, health & safety & staff representatives
- Utilising existing knowledge to contextualise the qualitative and quantitative data available within the organisation

Further advice is available from the HSE Human Factors, Ergonomics and Psychology (HFEP) Unit. Case studies are available form the HSE stress web site: http://www.hse.gov.uk/stress/casestudies.htm

3 MANAGEMENT STANDARDS AIDE MEMOIR

During the Stress Priority Programme (2004-2009) an inspection aide memoire was developed to provide a framework around which inspectors could construct their enquiries to assess whether duty holders have completed, or are in the process of completing, a suitable and sufficient stress risk assessment. The inspection aide memoire was in many instances shared with the duty holder. Feedback received from inspectors and duty holders indicted that a revised aide memoire aimed for use both by inspectors and duty holders would be a useful tool. The revised aide memoir was developed in consultation with inspectors and duty holders and is now referred to as the Management Standards Aide Memoir.

It is presented in a tabular form and is attached in Appendix 2. Inspectors may find it useful to provide duty holders with a copy of the aide memoir so they are clear how they will be assessed.

The Management Standards Aide Memoir has been divided into five stages:

Stage 1 – Set up. This stage has been completed when: The organisation has taken steps to begin the Management Standards or equivalent process and taken decisions about who will take this forward. Data collection has not yet been completed (it may have begun).
Stage 2 – Data Gathering. This stage has been completed when: Data has been collected and analysed. This analysis has been used to give an indication of which working conditions (and among which groups of workers) may need prioritisation for improvement. Workers have not yet been consulted to verify or challenge the results of data analysis or to discuss potential solutions.
Stage 3 - Solution Development. This stage has been completed when: Following data assessment, workers have been consulted (for example in focus groups) to verify or challenge the results of data analysis and to attempt to identify the problems underlying the concerns raised and generate ideas for solutions. No action plan has yet been generated.
Stage 4 – Action Planning. This stage has been completed when: A plan of action has been developed as a result of the consultation with workers (or otherwise) but the actions have not yet been set in motion.
Stage 5 – Implementation. [NB. This stage is beyond what is required of a risk assessment under Regulation 3 of the Management of Health and Safety at Work Regulations. However, the requirement to put into effect the identified actions would fall under the general duties of HSWA.] This stage has been completed when: Actions identified in the action-planning stage are now being implemented in accordance with the plan.

Inspectors should particularly focus on the level of management commitment and employee involvement throughout the risk assessment process. These elements are

important and give a good indication of the suitability of the risk assessment. Please refer to the Worker Involvement and Consultation Topic Inspection Pack for general information on employee engagement.

Not all parts of the aide memoire will be used at inspections. This will depend on which stage of the risk assessment process the organisation has completed.

4 BACKGROUND

4.1 Management Standards

The Management Standards approach for work-related stress was launched on 3 November 2004. The approach was developed in consultation with duty holders and stakeholders to provide organisations with a framework to tackle work-related stress. The approach is designed to help employers and employees work together to gauge stress levels in an organisation and identify locally relevant solutions to manage the risks. The Management Standards approach helps organisations meet their legal duties under the Health and Safety at Work etc. Act 1974 (HSWA), and the Management of Health and Safety at Work Regulations 1999 (MHSWR), to assess the risk of stress related ill health arising out of work activity and to take action to control any risks identified.

Figure 1: The Management Standards Approach

The Management Standards look at six key areas of work design/organisation (Demands, Control, Support, Role, Relationship and Change) which if not adequately managed can lead to cases of work-related stress. They provide a yardstick against which organisations can measure their performance and encourage them to strive for continuous improvement.

The Management Standards approach is based on a risk assessment methodology with three core components:

1. An indicator tool (a 35 item questionnaire) which, along with other available data can give a broad overview of potential organisational issues; (**Note:** Because stress is a complex issue, organisations should not rely on one measure of work-related stress but should build up an overall picture from different sources of information. In particular, off the shelf questionnaires should not be used in isolation, as they are not always reliable.)
2. Consultation with employees to provide a mechanism to check back on the results of the indicator tool and analysis of other data, and to develop locally relevant interventions to improve working conditions; and,
3. Implementation of interventions and subsequent review to evaluate their success.

The Management Standards and supporting guidance material, including case studies, are web-based products and can be accessed at www.hse.gov.uk/stress/standards/index.htm.

4.2   Applying the Management Standards in an SME

The Management Standards approach was developed in consultation with large employers that typically have in place formal departmental management structures. These formal structures are not normally present in Small and Medium sized Enterprises (SME). These differences in size and structure do not mean that the Management Standards approach cannot be used in SME's. Research carried out by the HSE in 2005 (see research report RR537) provided evidence that the approach can be successfully used by SME's .

The main difference in using the management standards approach in a SME is the use of questionnaires to gather data in step 2. It is not appropriate in an SME environment to use questionnaires as it would not be possible to maintain the anonymity of those completing the questionnaires. In such situations the views of employees are normally gathered via face-to-face meetings.

4.3   Links with managing sickness absence and return to work (MSA & RTW)

Inspectors have no legal powers under HSWA to enforce on this topic and their role, if asked, should be limited to offering general advice and pointing organisations towards help and advice. See appendix 7.

Many organisations have used the Management Standards as part of their return to work assessments. Once an employee who has been off work due to work-related stress is ready to return, the Management Standards have been used to provide a framework around which to structure return to work interviews. This allows managers

and employees to discuss the issues and agree temporary reasonable adjustments that will facilitate a successful return to work.

APPENDIX 1: MANAGEMENT STANDARDS STATES TO BE ACHIEVED

The descriptions in each of the Management Standards shown as 'What should be happening/states to be achieved' define a desirable set of conditions to work towards. These are given below:

Demands
Includes issues like workload, work patterns, and the work environment

The standard is that:
- Employees indicate that they are able to cope with the demands of their jobs; and
- Systems are in place locally to respond to any individual concerns.

What should be happening / states to be achieved:
- The organisation provides employees with adequate and achievable demands in relation to the agreed hours of work
- People's skills and abilities are matched to the job demands;
- Jobs are designed to be within the capabilities of employees; and
- Employees' concerns about their work environment are addressed.

Control
How much say the person has in the way they do their work

The standard is that:
- Employees indicate that they are able to have a say about the way they do their work; and
- Systems are in place locally to respond to any individual concerns.

What should be happening / states to be achieved:
- Where possible, employees have control over their pace of work;
- Employees are encouraged to use their skills and initiative to do their work;
- Where possible, employees are encouraged to develop new skills to help them undertake new
- and challenging pieces of work;
- The organisation encourages employees to develop their skills;
- Employees have a say over when breaks can be taken; and
- Employees are consulted over their work patterns.

Support
Includes the encouragement, sponsorship and resources provided by the organisation, line management and colleagues

The standard is that:
- Employees indicate that they receive adequate information and support from their colleagues and superiors; and
- Systems are in place locally to respond to any individual concerns.

What should be happening / states to be achieved:

- The organisation has policies and procedures to adequately support employees;
- Systems are in place to enable and encourage managers to support their staff
- Systems are in place to enable and encourage employees to support their colleagues;
- Employees know what support is available and how and when to access it;
- Employees know how to access the required resources to do their job; and
- Employees receive regular and constructive feedback.

Relationship
Includes promoting positive working to avoid conflict and dealing with unacceptable behaviour

The standard is that:
- Employees indicate that they are not subjected to unacceptable behaviours, e.g. bullying at work; and
- Systems are in place locally to respond to any individual concerns.

What should be happening / states to be achieved:
- The organisation promotes positive behaviours at work to avoid conflict and ensure fairness;
- Employees share information relevant to their work;
- The organisation has agreed policies and procedures to prevent or resolve unacceptable behaviour;
- Systems are in place to enable and encourage managers to deal with unacceptable behaviour; and
- Systems are in place to enable and encourage employees to report unacceptable behaviour.

Role
Whether people understand their role within the organisation and whether the organisation ensures that the person does not have conflicting roles

The standard is that:
- Employees indicate that they understand their role and responsibilities; and
- Systems are in place locally to respond to any individual concerns.

What should be happening / states to be achieved:
- The organisation ensures that, as far as possible, the different requirements it places upon employees are compatible;
- The organisation provides information to enable employees to understand their role and responsibilities;
- The organisation ensures that, as far as possible, the requirements it places upon employees are clear; and
- Systems are in place to enable employees to raise concerns about any uncertainties or conflicts they have in their role and responsibilities.

Change
How organisational change (large or small) is managed and communicated in the organisation

The standard is that:
Employees indicate that the organisation engages them frequently when undergoing an organisational change; and
Systems are in place locally to respond to any individual concerns.

What should be happening / states to be achieved:
- The organisation provides employees with timely information to enable them to understand the reasons for proposed changes;
- The organisation ensures adequate employee consultation on changes and provides opportunities for employees to influence proposals;
- Employees are aware of the probable impact of any changes to their jobs. If necessary, employees are given training to support any changes in their jobs;
- Employees are aware of timetables for changes;
Employees have access to relevant support during changes.

APPENDIX 2: MANAGEMENT STANDARDS AIDE MEMOIR

Introduction
Research has shown that work-related stress (WRS) can have many adverse effects on organisations such as: employee commitment, attendance levels, staff performance and productivity, organisational image and reputation and many more.

By taking action to manage the <u>causes</u> of work-related stress, it is possible to reduce or prevent these problems and help to create a more productive, healthy working environment.

What is the self report tool for work related stress?
This tool will help organisations to:
- Asses their level of performance for managing the causes of work-related stress
- Determine if an equivalent approach to the Management Standards is suitable and sufficient by scoring highly on the performance indicator
- Understand what Health and Safety Inspectors will be looking for during an inspection; and
- Have a clear focus for managing the causes of work-related stress

The tool provides a step by step guide to the work-related stress risk assessment process and offers practical advice on what should be included. The tool must not be used as a stand alone document and should be used with the guidance document "Managing the causes of work-related stress: A step by step approach using the management standards". This will enable organisations to have a deeper understanding of the stress management process.

The Legal Case: What the Law Requires
Employers have duties under the "Management of Health and Safety at Work Regulations," 1999, to assess the risk of stress-related ill health arising from work activities; and under the Health and Safety at Work etc Act 1974, to take measures to control that risk.

The Management Standards
To help employers manage the causes of work-related stress HSE designed the Management Standards (MS) approach.

The approach is based on the "five steps to risk assessment" model which requires management and staff to work together to identify and manage risks within the whole organisation not just specific departments. It is essential that all actions are documented and that employees are both engaged in the process and given feedback at appropriate stages.

Completing a risk assessment itself will not reduce the causes of work-related stress however; the actions organisations take as a result should help to achieve a reduction. This is an ongoing process that needs to be continually monitored and reviewed.

Preparing the organisation
Before introducing the MS or equivalent approach it is essential to plan ahead and prepare the organisation. A good start is to secure the commitment of senior managers, line managers and employees and set up a project or steering group to oversee the work.

Line Managers play a vital role in the risk assessment process as they are often key to identifying and managing work-related stress, as they can usually see the direct causes and are in a good position to address them. Line Managers should encourage and support employees to engage with the approach, ensure that planned interventions are implemented and monitored, communicate information to the team and show commitment by taking an active involvement in implementing these actions.

Whilst a number of organisations choose to employ external consultants to design and manage their stress management approach, this is not essential and can be done internally.

How to use the tool
The self check guide section provides a 'description' that outlines some of the key qualities that should be present for each of the five stages of the MS (or equivalent) approach. A second column,

'what to look for/encourage', points out some of the things Inspectors will look for to help them judge what organisations are planning/doing at each step of the risk assessment process.

The performance indicator section for each step has been split into two columns, one looking at management commitment and the other relating to employee involvement. These are both very important aspects of the process and essential to achieving success.

Scoring:
Each column has a four point scale:

1 = Good
4 = Poor

The scores can be used by organisations to aid discussions with HSE/Local Authority (LA) inspections, measure performance, identity gaps and make improvements.

In both of the columns each score has a description of what an organisation should be planning or have achieved before moving onto the next step. Organisations can then score themselves based on their perceived performance.

It is not essential to gain a score of 1 before progressing to the next step, although when the process is repeated organisations can then aim to improve previous scores.

On page (Insert page number) of this tool there is an example of how organisations can record their scores and evidence.

Abbreviations
MSA – Managing sickness absence
MS – Management Standards
WRS - Work-related stress
STBA – States to be achieved
KPI – Key performance indictors

Primary, secondary and tertiary
Within the tool the terms primary, secondary and tertiary may be referred to. These describe approaches that can be used when trying to manage stress.

- Primary – Prevention e.g. looking for the causes of stress
- Secondary – Stress management e.g. training on how to deal with stress
- Tertiary – Treatment e.g. counselling

More Information

For information on the Management Standards approach, five steps to risk assessment, manager competencies and employee engagement go to www.hse.gov.uk/stress

Managing the causes of work-related stress. A step-by-step approach using the Management Standards. HSG 218. ISBN 9780717662739. Free download available.
http://www.hse.gov.uk/pubns/priced/hsg218.pdf

Working together to reduce stress at work: A guide for employees. INDG424. Free download available. http://www.hse.gov.uk/pubns/indg424.pdf

How to tackle work-related stress; A guide for employers on making the Management Standards work. Free download available. http://www.hse.gov.uk/pubns/indg430.pdf

European Community Social Partners Voluntary Agreement.
http://www.hse.gov.uk/stress/pdfs/eurostress.pdf

Step 1 Indentify the risk factors: Understand the Management Standards

Description	What to look for & encourage
This step involves understanding the MS or equivalent approach and how it applies to the organisation, as it may need to be adapted to suit the organisation. It also involves ensuring that the process has a firm foundation on which to build, which usually involves gaining Senior Management commitment and the securing of adequate resources. The setting up of a 'steering group' is one way of ensuring that all levels of staff are represented and involved (but it is not the only way). The aim of a steering group is to drive forward and manage the process. It may not be necessary to set up a new group as there may be an existing working group that can take on some or all of these responsibilities. It is essential that employees are involved at every stage of the process. Good communications are essential for success. It is important that those in senior positions keep employees informed and allow for effective two-way communications. The MS statements and their associated States To Be Achieved (STBA), describe good management practice as it relates to each of the six risk areas. The achievement of the STBA represents the desired outcome (success criteria) from the process. Organisations can use the STBA as a plan for where they would like to be. Alternatively or in addition, other drivers may be needed such as relevant organisational key performance indicators (KPI).	**1** Senior management commitment: - Backing of the Board secured - Senior management visibly involved in communication activities - Allocation of resources – including a selected individual responsible for the day-to-day running of the process who is allocated time for the process. (Without this, progress is likely to be slow – it is also a good sign of the organisations commitment) - Delegated authority to steering group or other structure that will take the work forward. Active involvement of a Board member helps to ensure it has sufficient authority to maintain good progress **2** Commitment and full backing from Trade Unions/staff side to the process ensuring a partnership approach **3** A steering group that is responsible for taking the work forward. List evidence of - Workers being involved and fully supportive of the approach - Allocation of roles & responsibilities - Agreed 'Terms of reference' - An activity plan with resource allocation - A communication/marketing plan - Progress reports **4** List evidence that effective methods of two-way communication are available and being used to feedback comments and raise issues. **5** Have those running the process got a clear understanding of: - STBA (if using MS) - Factors affecting sickness absence - Types of interventions (primary, secondary, tertiary) - Organisational wide approach - Risk assessment - Continuous development **6** If the organisation is not using the STBA – what other KPI's are they using? Does these form a suitable basis for a gap analysis?

Performance Indicator: Step 1

Management Commitment		Employee Engagement	
Score	**Description**	**Score**	**Description**
1	The stress risk assessment process has the full backing of the Board. Senior management are also actively involved. Appropriate resources have been allocated and senior management fully participated in communications activities.	**1**	Employees or their representatives have been consulted. Evidence indicates they are fully supportive of the stress risk assessment process. They are fully involved in setting up the structures to take this forward.
2	There is visible support of the stress risk assessment process at senior management level. Appropriate resources have been allocated but senior management were not really involved in communications activities or have not shown full commitment.	**2**	Employees or their representatives have been consulted. Evidence indicates that either there is only limited support of the stress risk assessment process or that employees only have limited involvement in setting up the structures to take this forward.
3	There is some support from senior management level but there are concerns over their commitment or the availability of resources.	**3**	Employees or their representatives have been consulted. However, evidence indicates that they do not support the stress risk assessment process or are not involved in setting up the structures to take this forward.
4	Senior management are not currently supporting the stress risk assessment process.	**4**	Employees or their representatives have not been consulted on the stress risk assessment process.

Before considering moving on, ask yourself the following key questions:

1. Have you communicated plans and actions to employees?
2. Have you involved TU or other employee representative groups?

Step 2 Decide who might be harmed and how: Gather data

Description	What to look for & encourage
Data should be used to: • Identify hot spots • Inform discussion groups • Aid solution development There are various forms of data, both qualitative and quantitative, that can be used to identify issues within an organisation. Some of these may already be present so it might not be necessary to create a new data collection system. To understand and identify the causes of work related stress in detail it is important that organisations use more than one source of data e.g. sickness absence and staff survey. Data from existing initiatives can also be used. The data needs to be collected and analysed to identify the current state of the organisation. This can then be compared against the desired state, as described in the STBA or other KPIs, (gap analysis). The steering group or other subgroup may do this.	**1** Visible support of senior management. **2** Use of appropriate data which could include sickness absence data, staff survey data, staff turnover data occupational health referrals, return to work data, team meetings etc. **3** Overall response rates from surveys. How well does this represent the organisation? **4** Any data analysis report should include: - List of data used - Identification of areas of current good practice - Identification of areas of current poor practice - Comparison with STBA, or other suitable KPI to identify possible problems. ***NOTE:*** *This risk assessment process is an organisational wide approach but organisations must also have arrangements for dealing with individual concerns.*

Performance Indicator: Step 2

Management Commitment		Employee Engagement	
Score	Description	Score	Description
1	Senior management have provided strong visible support and resource to the process of data gathering and analysis. Staff believe this is something important to management and an ongoing business priority.	1	The majority of employees are fully aware of the data collection and the reasons for collecting and analysing such data. If a survey has taken place, a representative sample of staff were involved and most employees who were asked to complete it did do so (> 75%).
2	Senior management have provided some support and resource to the process of data gathering and analysis. Staff believes this is something which is currently important to management but may become overtaken by other business priorities.	2	The majority of employees are aware of the data collection and most staff show some awareness of the reasons for collecting and analysing such data. If a survey has taken place, a representative sample of staff were involved, and the number of employees who completed it when asked was reasonable (> 50%)
3	Senior management have provided only limited support to the process of data gathering and analysis. Staff believe that although senior management are interested, other issues are of greater importance and this will not be an ongoing priority.	3	Employees have had only limited awareness of the data collection process or don't appear to understand why it was being collected and analysed. If a survey has taken place, the response rate amongst those asked to complete it was insufficient (< 50%).
4	Senior management have provided no support to the process of data gathering and analysis beyond setting the project in motion. Staff believe that this is something senior managers are not really interested in.	4	Employees were not aware of the data collection and few understand why it was being collected and analysed, or did not know it was being collected.

Before considering moving on, ask yourself the following key questions:
1. Have you identified any hot spots within the organisation and possible causes?
2. Have you used data from a representative sample of staff?
3. Have you informed employees what you plan to do with the results?
4. Have you recorded your findings and actions and shared these with employees?

NOTE: It is essential that the findings from the data analysis are used to explore any problems and develop solutions.

Step 3 Evaluate the risks: Explore problems and develop solutions

Description	What to look for & encourage
Once the data has been analysed it is essential to confirm the findings, explore what they mean and discuss possible solutions by engaging a representative sample of the workforce. The aim is to establish locally agreed <u>primary</u> interventions that address the issues identified in the previous step. This can be achieved using focus groups or other discussion groups, e.g. team meetings. Employee participation is essential for solution development, as they are often closest to the issues identified and involvement can help to secure 'buy-in' to the proposed intervention. It is important that all employees feel free to speak openly and honestly and receive feedback. The STBA can be used to prompt discussions looking at whether such good practice is present within the organisation. The number of employees involved in this stage will be dependent on the size of the organisation and local circumstances. However, it is important that all employees are represented and kept updated.	**1** Looking at the methods used to explore data and develop solutions: - Who participated – was it a representative range of staff? - What data was used/discussed? - Is the record accurate and reflect the issues discussed? **2** Have a number of locally relevant reasonably practicable solutions been generated? **3** Were all employees informed about solution development actions and given the chance to contribute to discussions/identification of problems and solutions etc? **4** Are most of the interventions primary and linked to the issues identified in the previous step? **6** Are interventions prioritised?

Performance Indicator: Stage 3

Management Commitment		Employee Engagement	
Score	**Description**	**Score**	**Description**
1	Management gave a high level of support to trying to make this stage a success i.e senior management were fully committed to holding discussion groups, in sufficient numbers and staff were fully encouraged to take part and allowed sufficient time to do so. Management trusted staff to identify useful solutions and will implement all the reasonable practicable solutions identified from the discussion groups.	**1**	Discussion groups covered a wide and representative range of staff in relevant areas. All participants contributed to identifying stressors and solutions. Staff felt able to be open and honest.
2	Management gave a good level of support to trying to make this stage a success. Management showed a reasonable level of trust in staff to identify useful solutions, and will implement some of the practical solutions identified in the discussion groups.	**2**	Discussion groups covered a range of relevant areas but a number of invited staff did not attend and/or participate. Most participants contributed to identifying stressors and solutions
3	Management gave some support to this stage of the process. Management showed some degree of trust in staff to identify useful solutions and will implement a small number of selected solutions from the discussion groups.	**3**	Discussion groups were unrepresentative of the staff in the areas they were covering or covered insufficient areas. Only a few of those invited attended and/or contributed to identifying stressors and solutions
4	Management did not provide the necessary support to make this part of the project a success. Management did not really trust staff to identify useful solutions and are unlikely to implement solutions identified in the discussion groups.	**4**	Discussion groups were unrepresentative of the staff in the areas they were covering or covered insufficient areas, were poorly attended and participating employees did not contribute at all to identifying stressors and solutions, OR solutions were developed by management without any involvement of staff.

Before considering moving on, ask yourself the following key questions:
1. Have you consulted employees on the problem areas?
2. Have you worked with employees to develop solutions?
3. Have you fed back results to mangers, employees and employee reps?
4. Have you recorded what you have done?

Step 4 Record your findings: Develop and implement action plan/s

Description	What to look for & encourage
The steering group should be responsible for producing an action plan for the organisation or part of the organisation, based on the organisational wide issues identified in the previous step. Individual directorates/depts should draw up directorate/dept specific action plans for their own areas. The steering group should then hold the directorates/depts responsible for implementing the action plan The actions and solutions suggested need to be prioritised, resourced and assigned to an individual or function for completion within an agreed timescale. To realise any benefits, the agreed and approved action plans should be implemented as planned. Use of the SMART (Specific, Measurable, Achievable, Realistic and Time bound) method for formulating interventions is recommended. Senior management or those with delegated authority need to approve the action plans.	**1** Are there formal 'signed off' action plans, generated by workers and management together, agreed/'signed off' at Board level and agreed by Trade Unions/ staff side? **2** Are actions: - - Aimed at different levels of the organisation (strategic, macro or micro) relevant to the issues identified? - SMART – it is important for organisations to identify what success looks like? - Adequately resourced? **3** Have the action plans have been communicated to all relevant staff? *NOTE: Where appropriate, plans can be merged with / embedded into existing initiatives.*

Performance Indicator: Step 4

Management Commitment		Employee Engagement	
Score	**Description**	**Score**	**Description**
1	Senior management have fully supported the development of action plans with practical actions based around views of staff. They have not tried to impose or remove actions and have ensured the action plans are SMART.	**1**	There was ample opportunity for staff to have input into the action plan beyond the original discussion groups. Staff representatives were fully involved in the development of the plan, and their comments were encouraged and acted upon in drawing up the plans.
2	Senior management have largely supported the development of action plans with practical actions based around views of staff. However, they have imposed their own actions, which were not agreed by staff or have removed or imposed restrictions on suggested actions and/or the action plan is not SMART.	**2**	There was some opportunity for staff to have input into the action plan beyond the original discussion groups. Staff representatives were involved in the development of the plan although the further input of staff was limited.
3	Senior management have only partly supported the development of action plans. They have severely restricted the inclusion of practical solutions based around views of staff.	**3**	There was limited opportunity for staff to have input into the action plan beyond the original discussion groups. Staff representatives were consulted but management did not encourage further staff input.
4	Senior management have not supported the development of action plans. Senior managers have ensured that the actions in the plan are not based around views of staff but are management driven.	**4**	There was no opportunity for any staff or representatives to have input into the development of an action plan beyond the original discussion groups.

Before considering moving on, ask yourself the following key questions:

1. Have you created and agreed the action plan with senior managers, employees and their representatives?
2. Have you shared the action plan with all employees?
3. Have you recorded any actions?

Step 5 Monitor and review: Monitor and review action plan/s and assess effectiveness

Description	What to look for & encourage
The steering group should monitor the action plan/s to: • ensure actions are being carried out; • evaluate the effectiveness of the solutions; and. • decide if any further action or data gathering is needed. It is important to discuss what can be done to prevent the problems identified happening again and what actions can be put in place to deal with them in a proactive way rather than reactive. It is vital that outcomes of actions are communicated to all employees, employee representatives and senior management, as this will encourage commitment and highlight the importance of managing work-related stress. The time scales for completed actions can vary. It is likely some will be aimed at quick-wins while others will be aimed at delivering long-term culture change. Procedures should be in place to measure and evaluate the effectiveness of specific actions contained within the action plans. Organisations should have plans in place to continually review the risk assessment process and update where necessary.	**1** Evidence of carrying out agreed actions in line with timescales in the plans. **2** Recording progress against action plans and looking at the effectiveness of solutions, modifying as necessary. **3** Have assessed if any further data is needed and have plans in place to monitor any data collected. **4** Plans are in place to review the risk assessment and update when needed.

Performance Indicator: Step 5

Management Commitment		Employee Engagement	
Score	**Description**	**Score**	**Description**
1	Senior management are fully supporting the implementation of the action plan and are not doing anything to limit or delay actions. They are also ensuring that progress against plan is monitored and the outcome of measures taken is reviewed to ensure their effectiveness.	**1**	The majority of staff are aware of the action plans and are supportive of them. They recognise that the plans reflect the actions they helped to develop. They are clear why these actions are being adopted.
2	Senior management are mostly supporting the implementation of the action plan although there have been some limits placed on actions or delays to actions taking place	**2**	Staff are mostly aware of the action plans, and are supportive of them. The plans are largely recognisable as the actions they helped to develop. However, they are not clear why some of them are being adopted.
3	Senior management are providing limited support to the implementation of the action plan. A number of the proposed actions have been severely limited or delayed.	**3**	Some staff are aware of the action plans, and welcome their implementation Mostly though, staff are unclear why these actions have been chosen or do not recognise them as actions they helped to develop.
4	Senior management are not supporting the implementation of the action plan. Most of the actions have been severely delayed, limited or even removed from the original plan.	**4**	Generally, staff are not aware of the action plans, and have not welcomed the implementation of any actions. They do not know why these particular actions are being implemented at this time.

Ask yourself the following key questions:

1. Have you checked that agreed actions are being done?
2. Have you evaluated the effectiveness of the solutions?
3. Have you decided what further action is needed if any?
4. Have you communicated results to employees?

APPENDIX 3: TEMPLATE IMPROVEMENT NOTICE -1

Improvement Notice for Risk Assessment for work-related stress

Contravention…

Management of Health and Safety at Work Regulations 1999 Regulation 3(1)

Health and Safety at Work etc. Act 1974 Section 2

Reasons for said opinion…

You have failed to make a suitable and sufficient assessment of the risks to the health and safety of your employees from exposure to work-related stressors for the purpose of identifying any required preventive and protective measures.

Schedule…

1. **To comply with this Notice you should:**-

(i)   Review the current work environment and activities, supplemented where necessary by collecting additional data, to identify if work-related stress is, or could quickly become, a problem; AND,

(ii)   Assess the likelihood of employees continuing to be exposed to stressors at a level that could cause harm; AND,

(iii) Assess the effectiveness of any existing and identify any necessary additional preventative and protective measures.

2. The significant findings of your assessment should be recorded.

Alternatively, any other equally effective measures may be taken which comply with the statutory provisions listed on the front of this Notice.

USEFUL REFERENCE MATERIAL

1. Managing the causes of work-related stress. A step-by-step approach using the Management Standards. HSG 218. ISBN 9780717662739. Free download available. http://www.hse.gov.uk/pubns/priced/hsg218.pdf

2. Working together to reduce stress at work. A guide for employees. INDG424. Free download available. http://www.hse.gov.uk/pubns/indg424.pdf

3. How to tackle work-related stress; A guide for employers on making the Management Standards work. Free download available. http://www.hse.gov.uk/pubns/indg430.pdf

4. European Community Social Partners Voluntary Agreement. http://www.hse.gov.uk/stress/pdfs/eurostress.pdf

APPENDIX 4: TEMPLATE IMPROVEMENT NOTICE -2

Improvement Notice for Risk Assessment for work-related stress – identification of preventive and protective measures

Contravention…
Management of Health and Safety at Work Regulations 1999 Regulation 3(1)
Health and Safety at Work etc. Act 1974 Section 2

Reasons for said opinion…
You have failed to identify the preventive and protective measures needed to reduce the risks, so far as is reasonably practicable, to the health and safety of your employees from exposure to the identified work-related stressors [*OPTIONAL reference to the duty holder's risk assessment documentation*: as highlighted in Document XYZ Risk Assessment]

Schedule…
1. **To comply with this Notice you should:**-
(i)   Assess the effectiveness of any existing and identify any necessary additional preventative and protective measures.

2. The significant findings of your assessment should be recorded.

Alternatively, any other equally effective measures may be taken which comply with the statutory provisions listed on the front of this Notice.

USEFUL REFERENCE MATERIAL

1. Managing the causes of work-related stress. A step-by-step approach using the Management Standards. HSG 218. ISBN 9780717662739. Free download available. http://www.hse.gov.uk/pubns/priced/hsg218.pdf

2. Working together to reduce stress at work. A guide for employees. INDG424. Free download available. http://www.hse.gov.uk/pubns/indg424.pdf

3. How to tackle work-related stress; A guide for employers on making the Management Standards work. Free download available. http://www.hse.gov.uk/pubns/indg430.pdf

4. European Community Social Partners Voluntary Agreement. http://www.hse.gov.uk/stress/pdfs/eurostress.pdf

APPENDIX 5: POINTS TO CONSIDER WHEN SERVING AN IMPROVEMENT NOTICE

- Inspectors are advised to contact HSE's Human Factors, Ergonomics & Psychology Unit (HFEP) when considering serving an Improvement Notice for work-related stress.

- It is advisable to meet the Chief Exec, MD, employee safety reps etc. to explain the action you are taking, the requirements of the Notice and to gauge their reaction to the Notice.

- An initial compliance date of 6 months is recommended.

- Monitoring progress with compliance will require regular input from yourself so factor the time into your work plan.

- Request that management and staff side provide you with regular updates on the progress being made.

- Be prepared for some publicity, at least locally especially if it is a high profile employer. Press Office and GNN will need to be informed in case of media interest. It is suggested that you prepare a Press Office Briefing.

- Encourage the duty holder to put together a representative working group to steer them to compliance.

- Encourage the duty holder to consider getting help, e.g. ACAS or other facilitators, in seeking information from staff or exploring solutions, if the expertise does not exist in house.

- Don't let the duty holder become preoccupied with questionnaires or "passing" the Management Standards.

- Encourage organisations to embed a stress risk assessment process into their corporate HR and business management systems.

- Ensure that the duty holder's emphasis is on implementing proactive, primary protective measures.

- Encourage the duty holder to look for and share examples of good practice between departments / sites / directorates.

- If you need advice when assessing the equivalence of risk assessment approaches, support is available from Specialist Inspectors in the Human Factors, Ergonomics and Psychology unit. Inspectors should access specialist support in the usual way.

APPENDIX 6: SUGGESTED PARAGRAPHS TO INCLUDE IN A COVERING LETTER ACCOMPANYING AN IMPROVEMENT NOTICE

For the majority of employees there are six main 'stressors' (sources of work-related stress), which have the potential to cause harm, namely:

a) Demands at work – such as work overload, physical work environment
b) Control – amount of say an employee has over the way their work is undertaken
c) Support – from managers and co-workers
d) Relationships – aversive behaviours at work (including bullying and harassment)
e) Role – lack of clarity in employee role
f) Change – how well organisational change is managed and communicated

To help to comply with this Notice you should:
- Review existing organisational data (sickness absence, staff attitude survey, exit interviews etc), supplemented where necessary by collecting additional data, to identify if work-related stress is, or could quickly become, a problem.

- Consult a sample of your employees (and where appropriate, employee representatives) to establish if, how and when the sources of stress (listed above) and other factors which are perceived as causing stress, occur.

- Assess the likelihood of employees continuing to be exposed to stressors at a level that could cause harm.

- Assess the effectiveness of any existing and identify and necessary additional preventive and protective measures.

All organisations are different, and it is important for you to develop locally relevant solutions to your problems, in consultation with your employees rather than looking for 'off the shelf' risk control strategies. The HSE publication, Managing the causes of work-related stress (HSG218) provides advice on solution generation.

At all stages of the assessment, you should ensure the consultation and participation of your employees and their representatives.

The significant findings of your assessment should be recorded and made available to your employees and their representatives.

I intend to keep in regular contact with the organisation in order to assess progress towards compliance with the Improvement Notice.

APPENDIX 7: REFERENCES

1. Managing the causes of work-related stress. A step-by-step approach using the Management Standards. HSG 218. ISBN 9780717662739. Free download available. http://www.hse.gov.uk/pubns/priced/hsg218.pdf

2. Working together to reduce stress at work. A guide for employees. INDG424. Free download available. http://www.hse.gov.uk/pubns/indg424.pdf

3. How to tackle work-related stress; A guide for employers on making the Management Standards work. Free download available. http://www.hse.gov.uk/pubns/indg430.pdf

4. European Community Social Partners Voluntary Agreement. http://www.hse.gov.uk/stress/pdfs/eurostress.pdf

5. Psychometric analysis of the HSE Management Standards Indicator Tool http://www.informaworld.com/smpp/content~db=all?content=10.1080/0267837 0802166599

6. Management Competencies for preventing and reducing stress at work; Phase 1 (2007) RR553 http://www.hse.gov.uk/research/rrpdf/rr553.pdf

7. Management Competencies for preventing and reducing stress at work; Phase 2 (2008) RR633 http://www.hse.gov.uk/research/rrhtm/rr633.htm

8. Preventing stress; promoting positive manager behaviour. http://www.cipd.co.uk/subjects/health/stress/_preventing_stress

9. Link to the case studies page of the website http://www.hse.gov.uk/stress/experience.htm

10. Best practice in rehabilitating employees following absence due to work-related stress (2003) Research Report 138 http://www.hse.gov.uk/research/rrpdf/rr138.pdf

11. Work-related factors and ill health – The Whitehall II study Contract Research Report http://www.hse.gov.uk/research/crr_pdf/2000/crr00266.pdf

12. Farmers, Farm Workers and work-related stress (2005) Research Report 362 http://www.hse.gov.uk/research/rrpdf/rr362.pdf

13. An analysis of the prevalence and distribution of stress in the construction industry (2007) Research Report 518 http://www.hse.gov.uk/research/rrpdf/rr518.pdf

14. Case Study: Establishing the business case for investing in stress prevention activities and evaluating their impact on sickness absence levels (2005) Research Report 295 http://www.hse.gov.uk/research/rrpdf/rr295.pdf

15. The suitability of HSE's Risk Assessment Process and Management Standards For Use In SME's (2007). Research Report 537. http://www.hse.gov.uk/reserach/rrpdf/rr537.pdf

16. Worker Consultation and Involvement Topic Inspection Pack
http://www.hse.gov.uk/foi/internalops/fod/inspect/workerinvolve.pdf

Contacts for matters relating to employment legislation

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