

# An update on HSE's Management Standards for work-related stress

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Visit the Management Standards website at:  
[www.hse.gov.uk/stress/standards](http://www.hse.gov.uk/stress/standards)

A small, stylized cartoon character wearing a top hat and a suit, holding a cane, positioned to the left of the main title.

THE NEW YORKER

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*"We'll soon have you sorted out, Mr. Fenton."*

THURSDAY  
MAY 12

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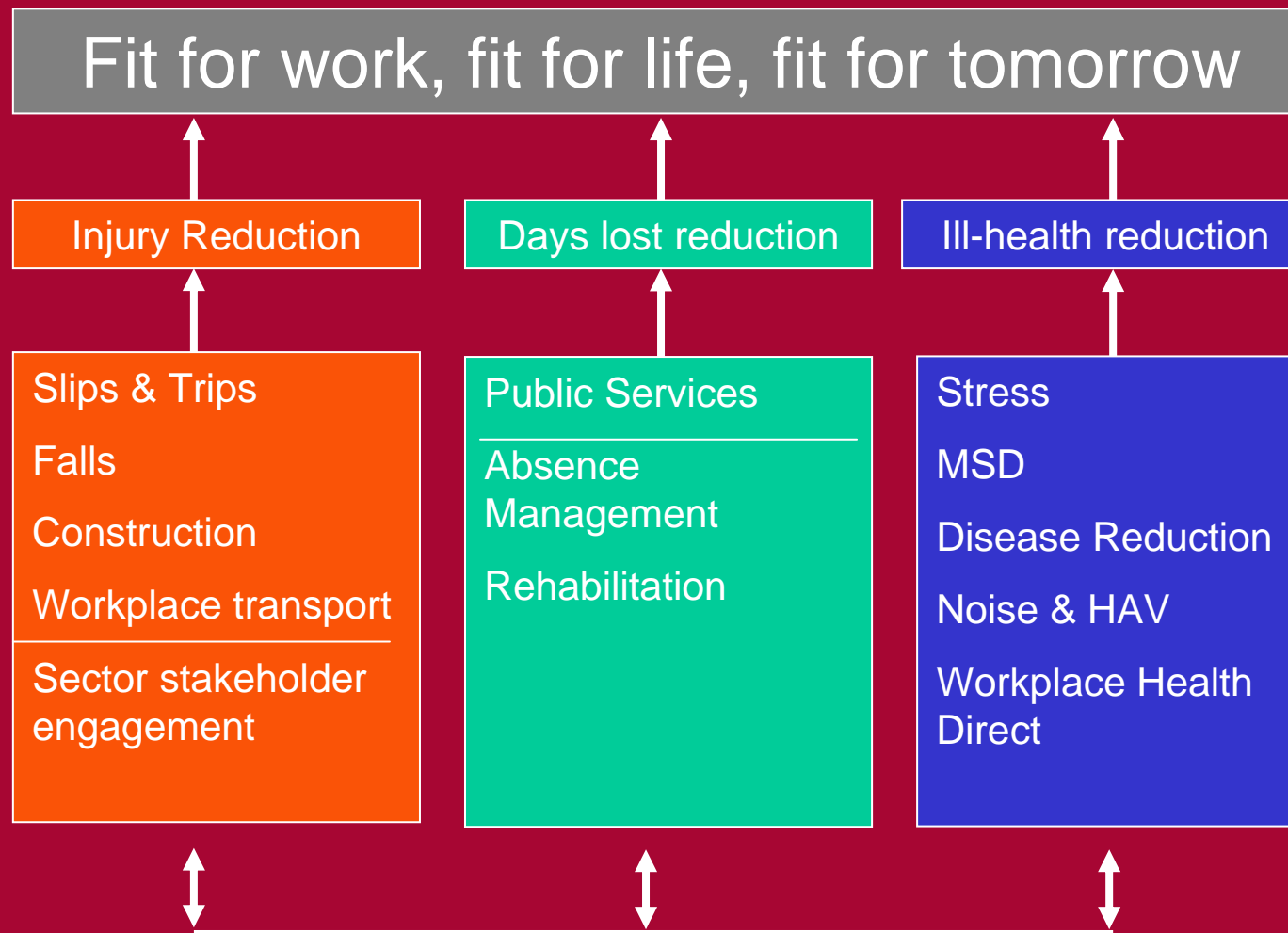
# The Management Standards



## Plan for this session:

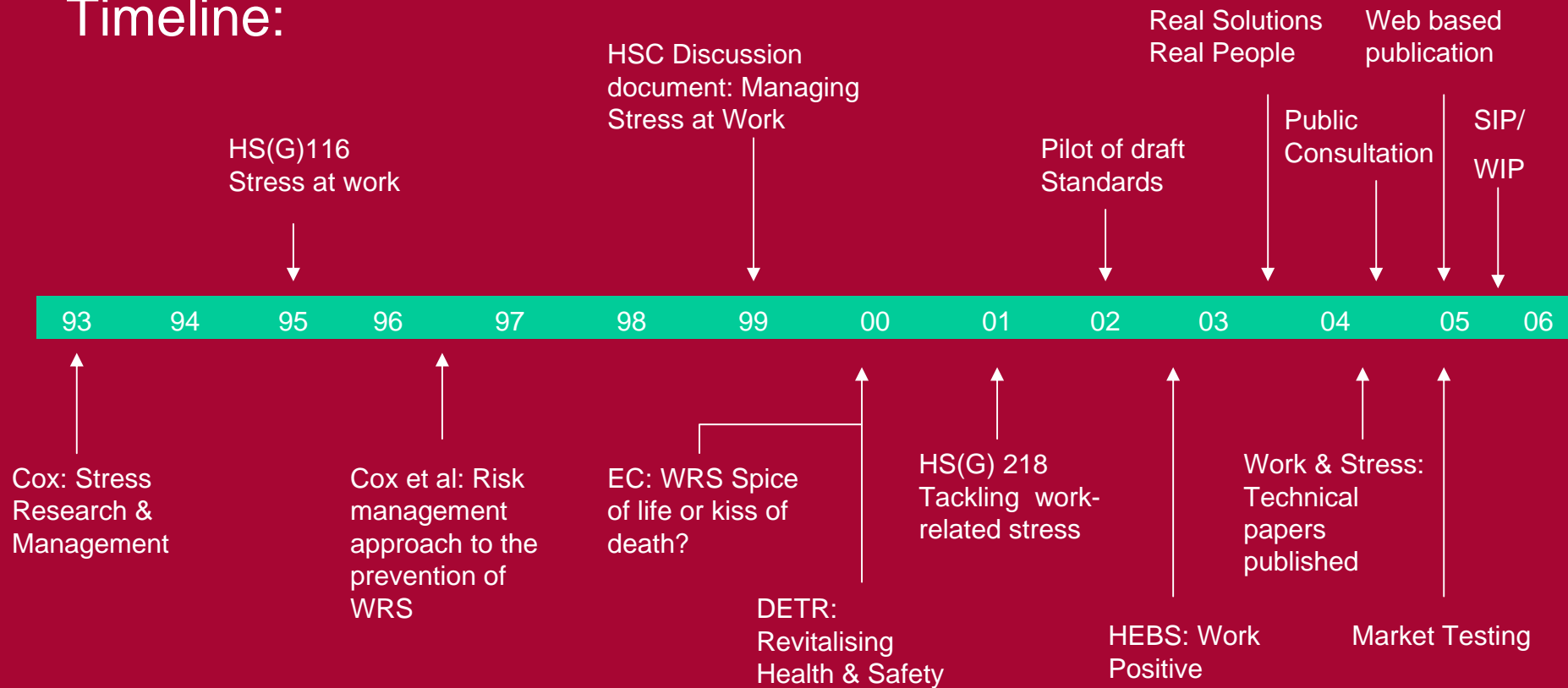
- Overview and background to the Management Standards
- Legal and enforcement issues
- The Management Standards process
- Summary / Discussion

# Fit3 Strategic Programme



# The Management Standards

## Timeline:



# Why tackle work-related stress?



- Stress costs the UK economy £3.7-3.8 billion per annum
- 13.4 million working days lost in 2001 due to stress, depression and anxiety
- 1 in 5 people find work either very or extremely stressful
- Sectors with highest incidence are: health & social services, education, local government, central government and financial services.
- Targets

# The benefits



## Case study 1 : Somerset County Council

- Cost of sickness absence £3.7m 2001/02
- Wellbeing/Quality of Working Life initiative
- Stress audit carried out
- 50 Interventions aimed at the individual, team and organisation identified
- Reduction in cost of sickness absence £1.9m over two years.
- Net saving after costs of interventions etc. £1.57m

For further details see Research Report 295 at [www.hse.gov.uk](http://www.hse.gov.uk)

# The benefits



## Case study 2 : NHS Trust

- '0' Star rating 2002
- Organisation Development Programme
- Stress audit carried out
- Sickness absence reduced by 30%
- Significant reductions in staff turnover
- '2' Star rating 2004

# Common law duty of care

- Hatton v Sutherland (CA, 2002)

16 guidelines

1. No special control mechanisms
2. Injury to health attributable to stress at work
3. What did the employer know about the particular employee
4. No occupations intrinsically dangerous to mental health

5. Factors relevant to deciding knowledge of employer/foreseeability
6. Employer entitled to take employee at face value
7. Indications of impending harm must be plain
8. Employer only in breach if failed to act reasonably

9. What is reasonable depends on size and scope of employer's operation
10. Employer only expected to take steps that are likely to do good
11. Employer offering confidential advice service unlikely to be in breach
12. No breach for allowing willing employee to continue doing job

13. Employee must identify the steps that could and should have been taken
14. Breach must have caused harm
15. Employer only liable for proportion of harm caused
16. Pre-existing vulnerability taken into account

## Statutory duties

- Health and Safety at Work Act (1974)
- Management of Health and Safety at Work Regulations 1999 – as amended

Reg 22 – no longer an ‘exclusion’ but a restriction of civil liability for breach of statutory duty

In force from 27 October 2003

# Regulations



- (3) Duties to carry out risk assessments
- (4, Sch 1) Principles upon which preventive and protective measures are to be based
- (6) Duty to provide health surveillance for employees

- (10) Duty to provide employees with information on health and safety risks identified by employer
- (13) Duties in relation to employees capability and training on recruitment
- (19) Duties towards young persons and risks arising from lack of experience

## Some legal considerations

- Duties under HSWA and MHSWR are limited and linked to:
  - **Foreseeability;**
  - **Degree of control;**
  - **Reasonable practicability**
  - **What is meant by ‘harm’**

# Burden of proof



- Criminal law requires *'beyond reasonable doubt'*
- Civil law requires *'in the balance of probabilities'*
- Therefore health and safety law does not always present the best route for individuals to seek redress
- Employees can pursue issues via other relevant legislation

## Other relevant legislation

- Employment Rights Act 1996
- Protection from Harassment Act 1997
- Disability Discrimination Act 1995
- Working Time Regulations 1998  
*(although HSE enforce this)*
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Safety Representatives and Safety Committees Regulations 1977  
and the Health and Safety (Consultation with Employees)  
Regulations 1996

# Inspection



## Remember:

- aim of the programme is to achieve improvements in the prevalence and incidence of WRS;
- does not concentrate on experience of individuals but on population as a whole;
- to achieve this we need to secure improvements in organisational factors which are identified as a problem;
- HSE's preferred approach is for employers to work together with employees to identify hazards etc.

# What are inspectors doing?

Encouraging employers to:

- Determine the scale and nature of the problem in their organisation;
- Judge how well the organisation is performing against the Management Standards;
- Consult with employees to further explore the problems identified and to develop solutions;
- Implement any control strategies / interventions identified.

# West Dorset NHS Trust - IN

## Circumstances

- Investigation of initial complaint
  - No risk assessment for WRS
  - Sickness absence data revealed a problem
  - Staff surveys cited stress as an issue but no action taken
  - WRS had been cited as the reason for resignation at several exit interviews
  - The Trust indicated it was not a priority for them
- IN served (compliance date 15<sup>th</sup> December 2003)
- Extension granted until 15<sup>th</sup> March 2004 (compliance achieved)

# How do the Management Standards fit in?



- Management Standards are guidance
- Legal duty is risk assessment and control
- Management Standards Approach includes
  - HSG 218 (risk assessment)
  - RSRP (how to manage)
  - Management Standards (measuring performance)

# The Management Standards



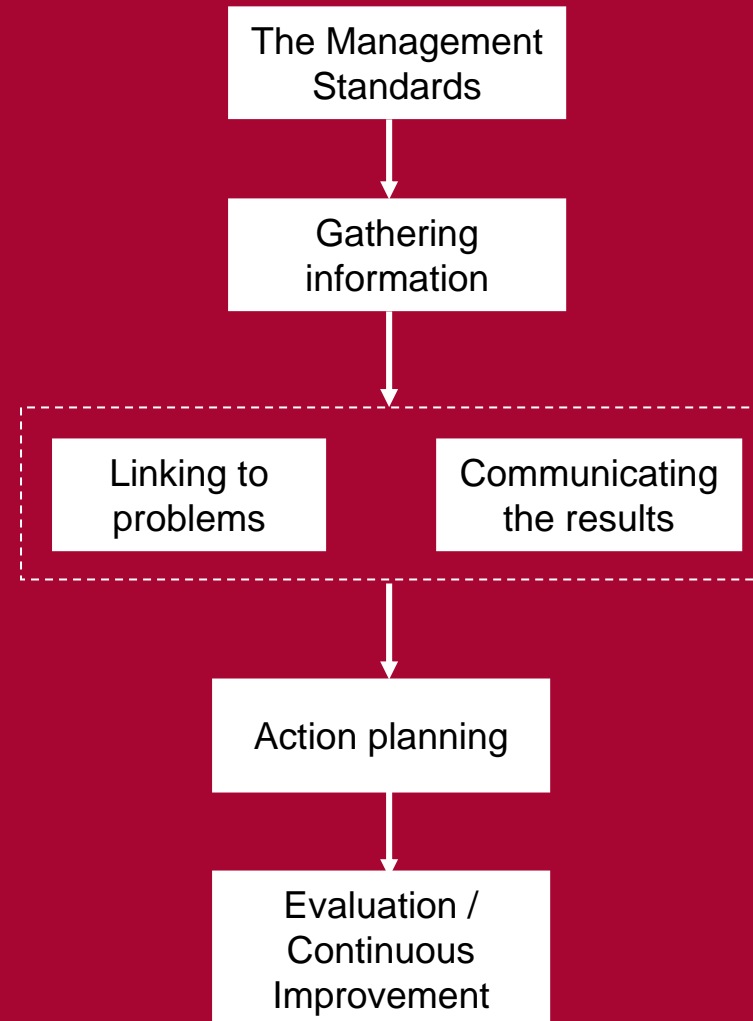
**Step 1:** Identify the hazards

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**Step 4:** Record your findings

**Step 5:** Monitor and review





# The Management Standards

## Before you start:

- Secure commitment from senior management;
- Secure commitment from employees and their representatives;
- Understand your legal duties; and
- Have a clear understanding of what stress is:-

**HSE definition of stress:** Stress is the adverse reaction people have to excessive pressure or other types of demand placed on them.

# The Management Standards

## Project Planning

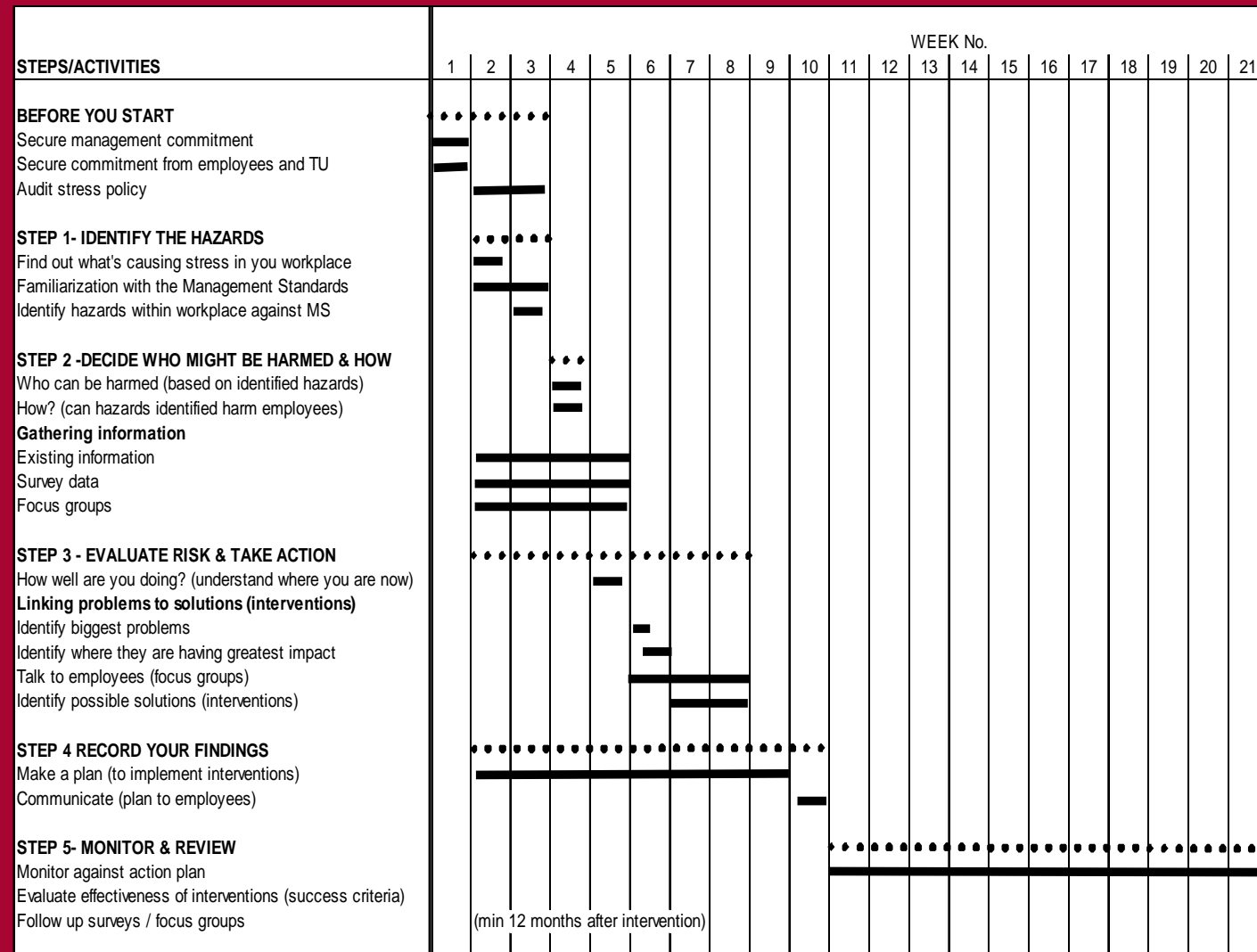
Things to consider:

- Who will act as the project manager
- Project steering group membership
- What activities can be done in parallel
- Interdependency of activities
- Who will be responsible for each activity
- Deliverable from each activity
- What resources are required
- Communications.



# The Management Standards

## Typical Plan (based on research)



# The Management Standards



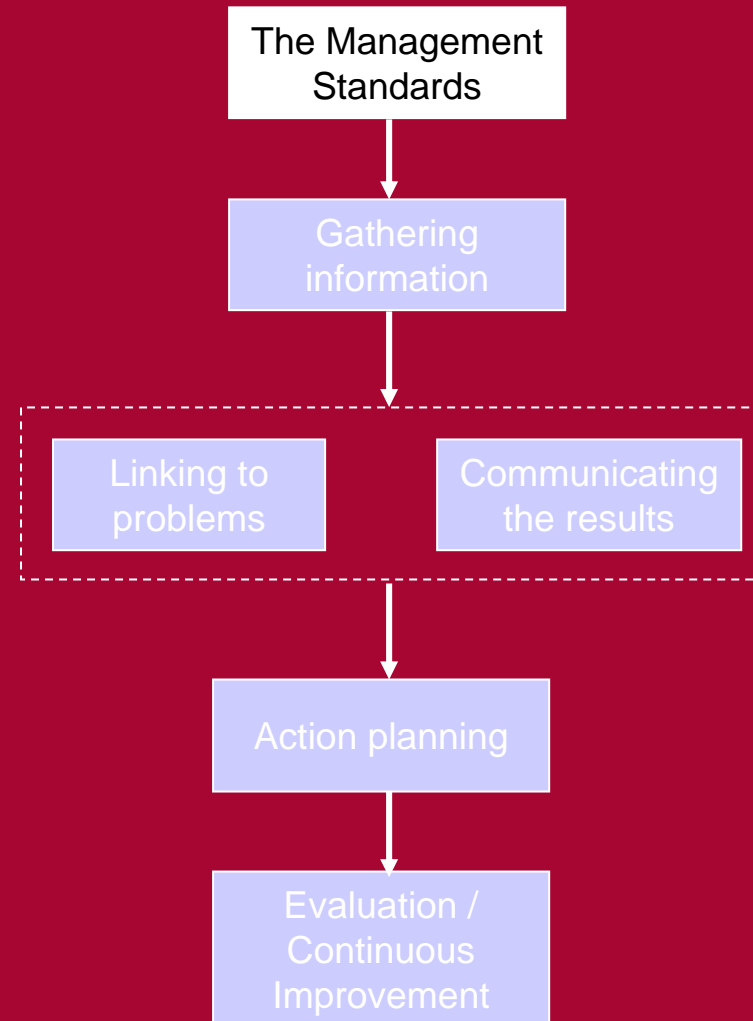
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# Step 1 – The Management Standards



## The six areas are:

- **Demands:** workload, work patterns, and the work environment
- **Control:** How much say the person has in the way they do their work
- **Support:** encouragement, sponsorship and resources provided by the organisation, line management and colleagues
- **Relationships:** promoting positive working to avoid conflict and dealing with unacceptable behaviour
- **Role:** Whether people understand their role within the organisation and whether the organisation ensures that they do not have conflicting roles
- **Change:** How organisational change (large or small) is managed and communicated in the organisation.

# Step 1 – The Management Standards



## **DEMANDS:**

### **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.

### **States to be achieved are:**

- 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.

# Step 1 – The Management Standards



## **CONTROL:**

### **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.

### **States to be achieved are:**

- 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.

# Step 1 – The Management Standards



## **SUPPORT:**

### **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.

### **States to be achieved are:**

- 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.

# Step 1 – The Management Standards



## **RELATIONSHIPS:**

### **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.

### **States to be achieved are:**

- 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.

# Step 1 – The Management Standards



## **ROLE:**

### **The standard is that:**

- Employees indicate that they understand their roles and responsibilities; and
- Systems are in place locally to respond to any individual concerns.

### **States to be achieved are:**

- 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.



# Step 1 – The Management Standards

## **CHANGE:**

### **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.

### **States to be achieved are:**

- 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 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 to their jobs;
- Employees are aware of timetables for changes; and
- Employees have access to relevant support during changes.

# The Management Standards



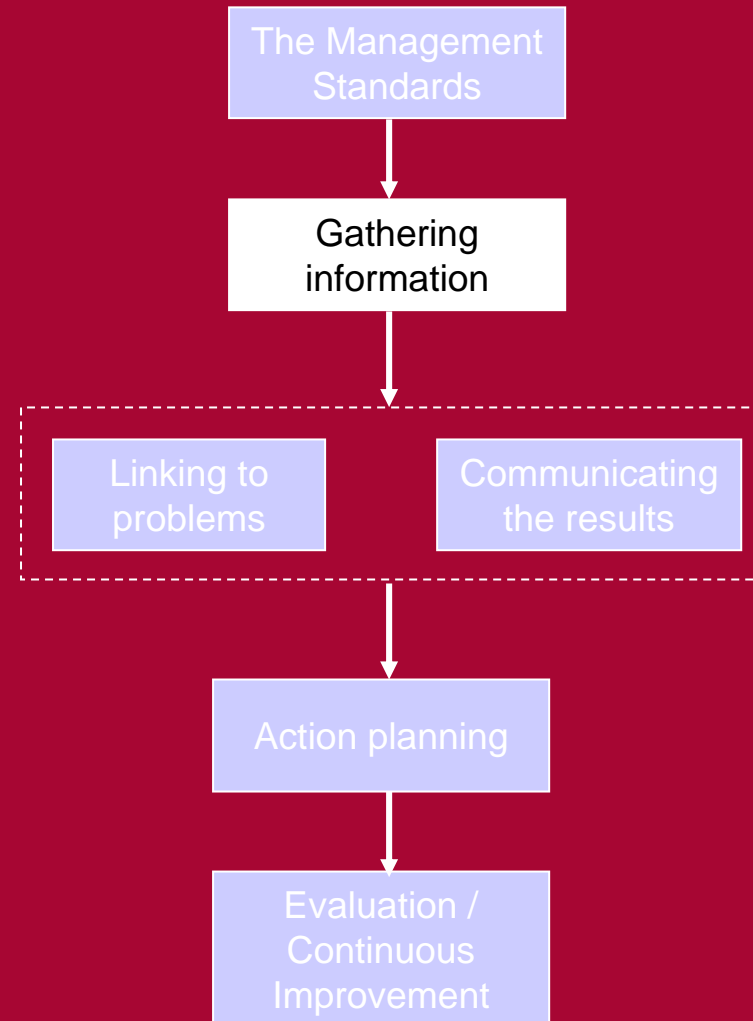
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## Step 2 – Gathering information

### Who can be harmed?

- Work-related stress can affect any employee, even though some may cope better with work pressures than others
- At particular times, individuals may be more vulnerable to work-related stress

### How?

- Exposure to the six areas covered by the Standards can affect employees in different ways
- Finding out how the factors are affecting your employees requires a partnership approach based on openness, honesty and trust.

## Step 2 – Gathering information

### Sources of information include:

- Sickness absence data
- Employee turnover
- Exit interview
- Productivity data
- Performance appraisals
- Informal talks with employees
- Focus groups
- Surveys
- Return to work interview

# Step 2 – Gathering information



## HSE Indicator Tool

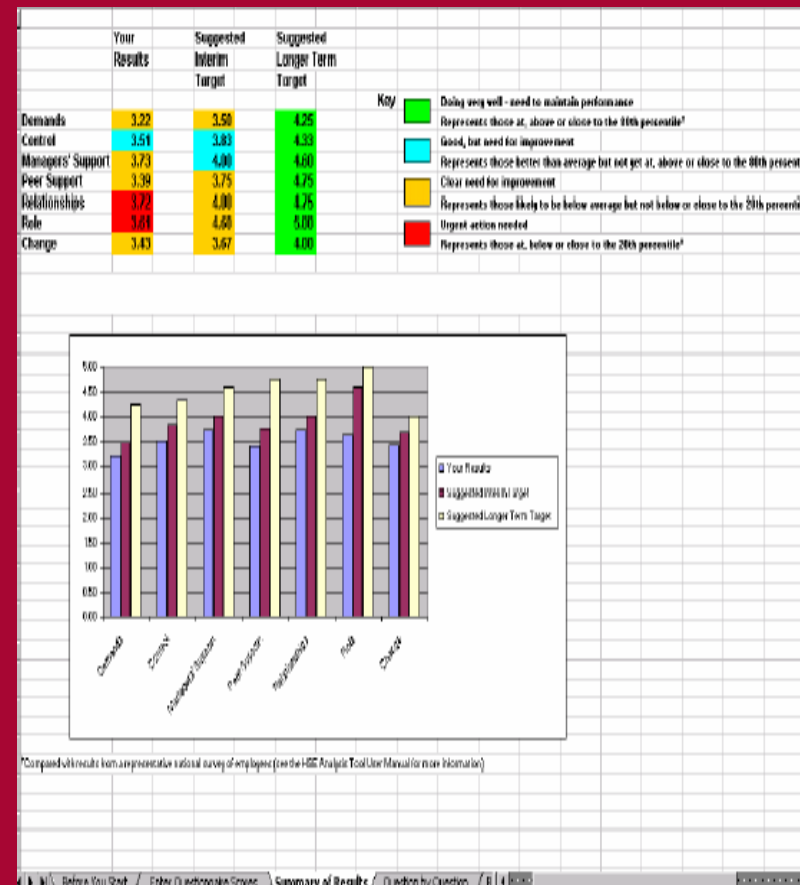
- 35 item questionnaire
- Validated in a large organisation and in a national household survey
- Questions are designed to look at the six areas of work related stress
- A user manual download is provided on the website

24	I get help and support I need from colleagues	Strongly disagree <input type="checkbox"/> 1	Disagree <input type="checkbox"/> 2	Neutral <input type="checkbox"/> 3	Agree <input type="checkbox"/> 4	Strongly agree <input type="checkbox"/> 5
25	I have some say over the way I work	Strongly disagree <input type="checkbox"/> 1	Disagree <input type="checkbox"/> 2	Neutral <input type="checkbox"/> 3	Agree <input type="checkbox"/> 4	Strongly agree <input type="checkbox"/> 5
26	I have sufficient opportunities to question managers about change at work	Strongly disagree <input type="checkbox"/> 1	Disagree <input type="checkbox"/> 2	Neutral <input type="checkbox"/> 3	Agree <input type="checkbox"/> 4	Strongly agree <input type="checkbox"/> 5
27	I receive the respect at work I deserve from my colleagues	Strongly disagree <input type="checkbox"/> 1	Disagree <input type="checkbox"/> 2	Neutral <input type="checkbox"/> 3	Agree <input type="checkbox"/> 4	Strongly agree <input type="checkbox"/> 5
28	Staff are always consulted about change at work	Strongly disagree <input type="checkbox"/> 1	Disagree <input type="checkbox"/> 2	Neutral <input type="checkbox"/> 3	Agree <input type="checkbox"/> 4	Strongly agree <input type="checkbox"/> 5
29	I can talk to my line manager about something that has upset or annoyed me about work	Strongly disagree <input type="checkbox"/> 1	Disagree <input type="checkbox"/> 2	Neutral <input type="checkbox"/> 3	Agree <input type="checkbox"/> 4	Strongly agree <input type="checkbox"/> 5
30	My working time can be flexible	Strongly disagree <input type="checkbox"/> 1	Disagree <input type="checkbox"/> 2	Neutral <input type="checkbox"/> 3	Agree <input type="checkbox"/> 4	Strongly agree <input type="checkbox"/> 5
31	My colleagues are willing to listen to my work-related problems	Strongly disagree <input type="checkbox"/> 1	Disagree <input type="checkbox"/> 2	Neutral <input type="checkbox"/> 3	Agree <input type="checkbox"/> 4	Strongly agree <input type="checkbox"/> 5
32	When changes are made at work, I am clear how they will work out in practice	Strongly disagree <input type="checkbox"/> 1	Disagree <input type="checkbox"/> 2	Neutral <input type="checkbox"/> 3	Agree <input type="checkbox"/> 4	Strongly agree <input type="checkbox"/> 5

# Step 2 – Gathering information

## HSE Analysis Tool:

- Presents a summary of the data in graphical form
- Colour coding helps to identify hotspots
- Interim and longer term targets suggested
- A user manual download is provided on the website



# The Management Standards



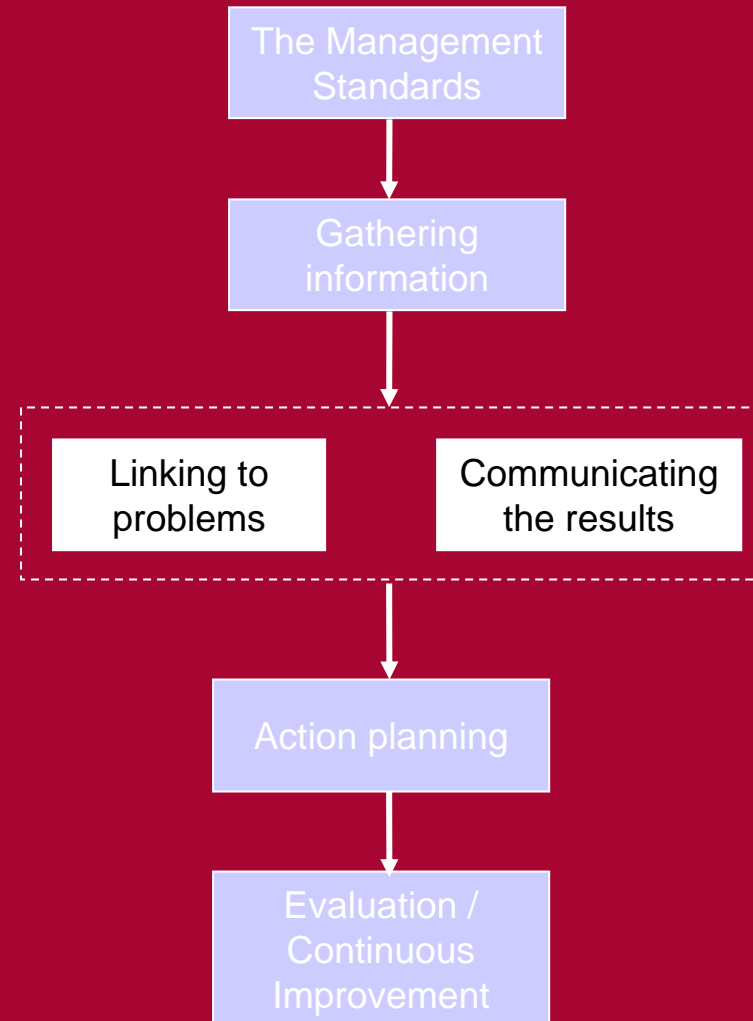
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## Step 3 – Linking problems to solutions



### Focus groups:

- Consider desired state retrieved from standards
- Confirm / challenge current state from Indicator Tool and other data sources
- Discuss / agree how to make practical improvements
- Agree next steps and timings.

## Step 3 – Communicating the results



### **Provide feedback :**

- Survey findings
- Agreed solutions
- Action plans
- Timetable.

### **Individual concerns:**

- Develop ways for employees to raise concerns
- Provide employee assistance programs
- Use mentoring or other forms of co-worker support
- Encourage employees to talk about concerns to managers, union representatives, HR etc.

# The Management Standards



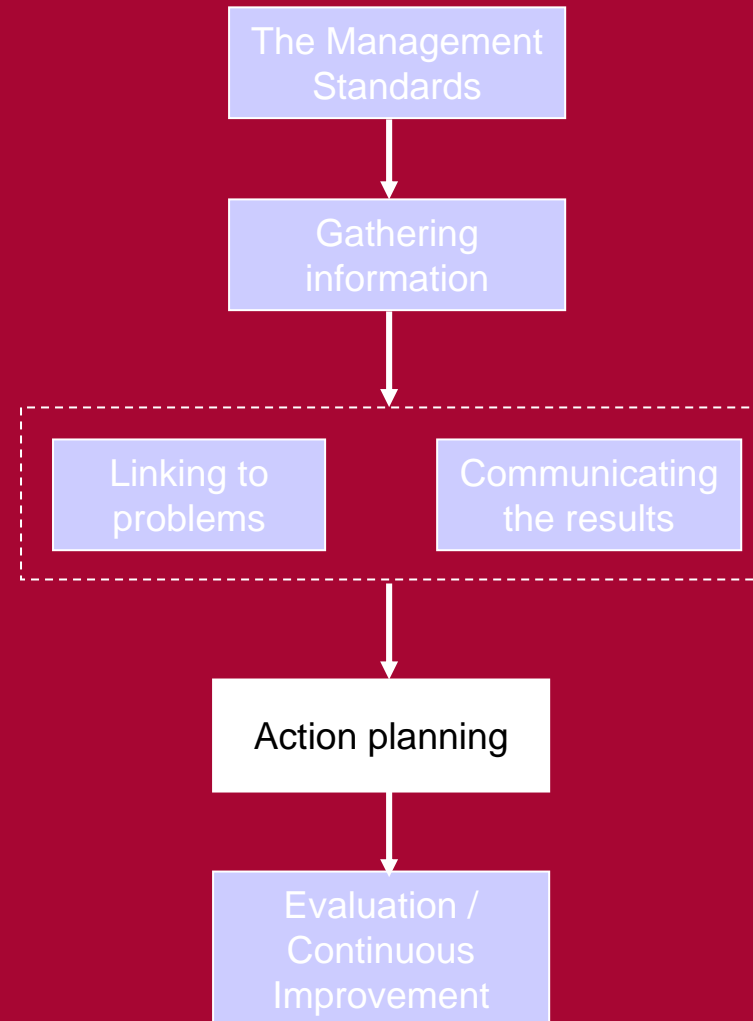
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## Step 4 – Action plans shared with staff



### **Action plans:**

- What is the problem
- How the problem was identified
- What are you going to do in response
- How you arrived at this solution
- Key milestones and dates
- Provide feedback to employees on progress
- A date for reviewing progress against the plan.

# The Management Standards



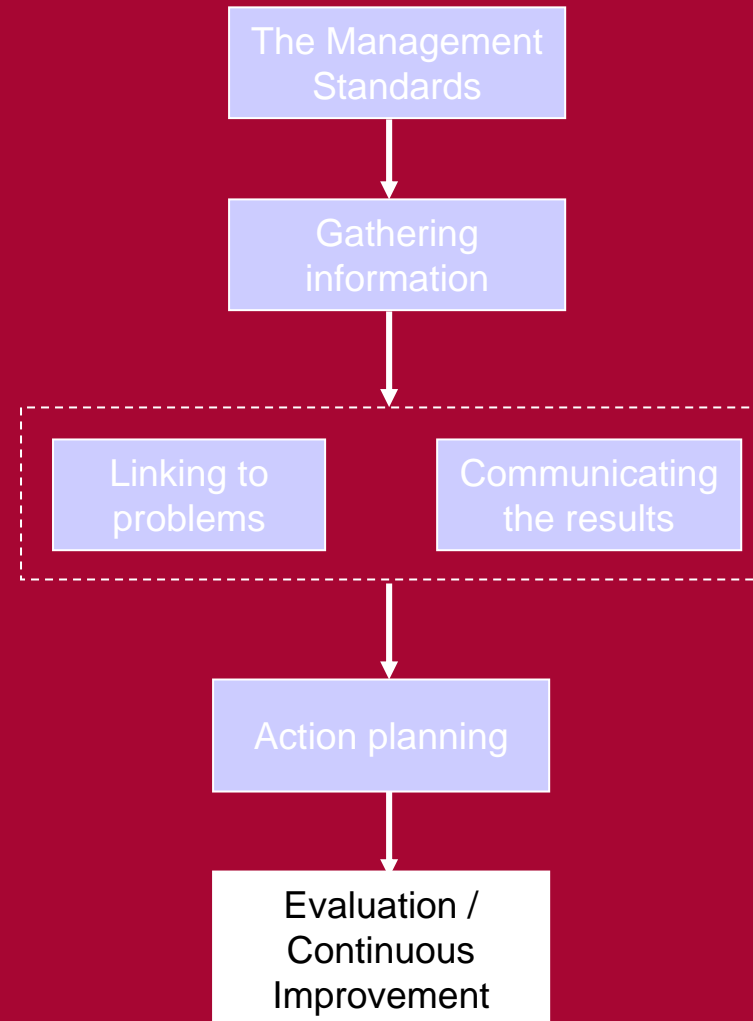
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## Step 5 - Review dates set

### Monitor and review:

- This is not a one off process, review periodically
- Monitor against action plan
- Evaluate effectiveness of solutions
- Review if significant changes are planned
- Repeat process at agreed intervals.



## Additional Resources:

Available at: (copies in toolkit)

[www.hse.gov.uk/stress/standards/downloads](http://www.hse.gov.uk/stress/standards/downloads)

- Steps 1 to 5
- Overview of the process (diagram)
- The Management Standards
- Example Stress Policy
- Securing management commitment
- How to run focus groups
- HSE Indicator tool & user manual
- HSE Analysis tool & user manual
- Are you doing enough? (suggestions)
- Example action plan.

# The Management Standards



## Summary

- Based on a risk assessment approach
- Encourages good management practice
- Requires the commitment of all employees
- Significant benefits possible with correct use
- SIP, targeting areas with highest incidence
- WIP, working with partners to raise awareness
- Revised/improved tools available May 2005

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