

STRESS MANAGEMENT BEYOND REGULATORY REQUIREMENTS

The stick or the carrot – why protecting workers against stress is essential.

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Stress is a health matter, and work-related stress is a **health & safety issue**. Companies and individuals can be prosecuted for breaches of health & safety; leading to fines, prevention from acting as a Company Director or imprisonment. Currently it may be difficult for a worker to process a claim against their employer for stress, however, claims are becoming more numerous, and many firms of lawyers are now advertising aggressively to pursue cases. Rather than be motivated by the “stick”, take time to think of the “carrot” – the benefits to your business of protecting workers effectively against stress. Then think how you would ideally like things to be – your goals – something tastier than a carrot? The best workplace cultures exist where management systems set ambitious goals and aim for continuing improvement in performance; and not by merely implementing the minimum standards. These principles apply as much to managing stress as they do to preventing workplace accidents.

Of course you will need to be compliant with any applicable **national laws**, and when developing stress management policies and procedures you will need the best advice. Not all governments provide advisory and supporting material to help you comply; in which case the information below will be useful.

In 2002 the EC acknowledged that work-related stress was a “serious issue”; yet you might be forgiven for believing that “stress” is not specifically included in the EU Health & Safety Directive¹, or had been overlooked. This is indeed the case. However, several key Trade Union and Employers’ associations (known as social partners) established and signed a **Framework Agreement**² in October 2004. This Agreement (implemented by most members by 2007) aims to increase awareness and provides a framework of collective and individual measures to identify and prevent, or manage, problems resulting from work-related stress. Its tone is one of learning and not blaming. This makes such a (high-level) framework an ideal starting point for your negotiations between employers and workers; negotiations which are essential to establish the necessary supportive culture. Implementation of the Agreement has not resulted in harmonised law-making, but it has proved effective where it has been established. EU countries have taken many different approaches including: changes to the law, binding national collective agreements, and increased dialogue.



The UK Health & Safety Executive (HSE) declares that employers have a duty of care to protect the health and welfare of employees at work, including from stress, and provides a set of **Management Standards** detailing an acceptable means of compliance. The HSE website³ has over 50-pages of information, guidance and tools to help any size of business not only comply with the minimum legal requirements, but also achieve best-practice.

¹ COUNCIL DIRECTIVE 89/391/EEC of 12 June 1989 on the introduction of measures to

² http://www.etuc.org/IMG/pdf_Framework_agreement_on_work-related_stress_EN.pdf

³ <http://www.hse.gov.uk/stress/index.htm>

UK Stress Management Standards cover:
Support – from organisation, managers, colleagues
Environment – impact on health, safety & welfare
Conflict – managed effectively
Uncertainty – reduced through managing change
Resources – tools, skills, knowledge (training)
Engagement – employee input, control & feedback
Demands – matching roles, workload and patterns

One key element is that everyone in an organisation has some **personal responsibility** for their own and their colleagues' health and safety; this applies to Board Members, CEOs, HR Directors, Line Managers, and Safety Managers etc. These responsibilities,

together with other guiding principles, boundaries and resources need to be defined within agreed and published policies. Each business is at liberty to implement their own policies and procedures, but as the management standards are performance-driven these must be based on a risk assessment approach.

Organisations *will have other legal obligations* e.g. fatigue management, violence, harassment and bullying, as well as dealing with employees abusing drugs or alcohol. One consequence of traumatic, or constant stress, is depression; and it is against the law to discriminate on the grounds of mental health. It can therefore be economic and effective to combine these, with stress, inside a Company "Healthy Workforce" programme; something that the EC is encouraging employers to adopt through health-focused approaches.

Risk Assessment approach:
1. Measure through surveys
2. Work together for practical improvements
3. Agree and share an action plan
4. Regularly review
5. Ensure continuing improvement

Compliance with your national laws is essential to avoid severe penalties; however, pursuit of high levels of employee health and welfare will pay dividends – financially *and* in improving workplace culture. Implementing the right policies and procedures is relatively simple and excellent guidance is available at the UK HSE website.



Through aim2 Ltd (registered in England and Wales 5856062) Steve Garrett provides stress, anger and personal development training as well as individual coaching and therapy. Steve is a psychotherapist, SMS trainer and coach with over 25 years experience in aviation. To find out more visit www.aim2.eu

This is the second of 6 stress-related articles to be released early 2012. Contact Steve to obtain "Word" versions to allow editing for your internal publications and intranet.

1. Stress, Safety & Return to Profit
2. **Stress Regulatory Framework**
3. Stress Management Systems
4. A Biopsy of Stress
5. Stress Toolbox for Managers
6. Stressing Personal Responsibility