

# **TOPIC INSPECTION PACK**

# **WORK-RELATED STRESS**

**SEPTEMBER 2009**

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# **1 INTRODUCTION**

## **1.1 What is work-related stress?**

Work-related stress is defined as 'the adverse reaction people have to excessive pressures or other demands placed on them'. It is not an illness in itself but if it is prolonged or particularly intense it can lead to physical and/or mental ill health.

## **1.2 Nature of the problem**

Work-related stress, depression or anxiety are the leading causes of working days lost through work-related injury or ill health, with an estimated 13.5 million days lost in 2007/08. Figures from the 2007/08 Survey of Self-reported Work-related Illness (SWI07/08), estimate that each case of stress leads to an average of 30.6 days lost.

## 2 STRESS INSPECTIONS

### 2.1 Overview

The current 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 5](#).

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. Therefore, current inspection effort is focused on these priority employment sectors, with the exception of central government. Further background information can be found in the current work-related stress [Operational Circular](#) and [Local Authority Circular](#).

There should be no proactive stress inspections in non-priority sectors. Advice to anyone seeking assistance with stress management should focus on risk assessment using the Management Standards or an equivalent approach and duty holders should be directed to the [stress pages](#) of the HSE website where further advice and guidance is available.

### 2.2 Proactive inspection

Inspection effort should be targeted at:

- getting duty holders to complete a suitable and sufficient risk assessment; and
- verifying that they are acting on the findings.

**HSE believes that the Management Standards approach is the best way to carry out a suitable and sufficient risk assessment and organisations are encouraged to take this approach. Organisations can adopt the Standards either whole 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. The feasibility of evaluating the effectiveness of a sample of alternative

risk assessment processes is being investigated. Advice and support on assessing the outcomes of equivalent risk assessment processes can be accessed via HSE's Health Unit (0131 247 2000).

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

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.

Inspection contact should be proportionate and an effective use of time. This will depend on the size of the organisation, the stage of the risk assessment process the organisation has reached and the quality of the work it has undertaken to date (see [Section 3 – Inspection Aide Memoire](#)). After each visit, inspectors should aim to agree appropriate next steps, a suitable timescale for the organisation to progress with its risk assessment and arrange an appropriate time for an inspection follow-up visit to monitor progress.

### **2.3 Responding to complaints**

Investigation of complaints should only be considered where:

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

Before initiating any investigations of organisations in the five priority sectors, Principal inspectors are requested to first contact Health Unit (0131 247 2000), to discuss appropriate action.

Inspectors should not investigate individual work-related stress complaints and should confine their involvement to assessing organisational arrangements for stress management. Applying health and safety legislation to an individual case of work-related stress is not straight forward because it is difficult to prove a causal link between particular cases 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 and Conciliation Advisory Service (Acas) who are better placed to advise 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 disorder in the emergency services.

## 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.

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

If an organisation in any of the priority sectors 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 in a priority sector, 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 to the lack of well defined or established standards of control for workplace stressors.

Inspectors are asked to consult HSE's Health Unit (0131 247 2000) at an early stage when considering any enforcement action in relation to work-related stress.

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. Advice and support is available from HSE's Health Unit (0131 247 2000).



### 3 INSPECTION AIDE MEMOIRE

An inspection aide memoire has been developed to provide a framework around which inspectors can construct their enquiries to assess whether duty holders have completed or are in the process of completing a suitable and sufficient stress risk assessment. 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 memoire so they are clear how they will be assessed.

The aide memoire 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 RECORDING THE OUTCOME OF INSPECTIONS**

A set of performance indicators has been developed linked to the five stages of the Inspection Aide Memoire. These, along with recording instructions and inspection report proforma, are outlined in the current Public Services Sector Information Minute and the financial services sector delivery plan.

HSE inspectors should attach the completed proforma to the COIN case for the inspection. Local Authority inspectors should email the completed proforma to [finance.stress@hse.gsi.gov.uk](mailto:finance.stress@hse.gsi.gov.uk). Inspectors are encouraged to provide detailed narrative reports in section 9 of the inspection report proforma.

For any stress inspections undertaken in organisations outside the priority sectors, inspectors should record the inspection findings as per the current Work Recording instruction.

## 5 BACKGROUND

### 5.1 Management Standards

Management Standards for work-related stress (Management Standards) were launched on 3 November 2004. They were developed to provide organisations with a framework to tackle work-related stress, and 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.

The Standards look at six key areas of work design/organisation (Demands, Control, Support, Role, Relationship and Change) which if not correctly managed can lead to 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 (based on a short 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 are web-based products and can be accessed at [www.hse.gov.uk/stress/standards/index.htm](http://www.hse.gov.uk/stress/standards/index.htm).

## **5.2 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 (based on current best practice set out in HSG249 and the six elements) and pointing organisations towards help and advice.

Once somebody who has been off work due to work-related stress is ready to return, the Management Standards can provide a framework around which to structure return to work interviews to discuss which obstacles could continue to have an adverse effect on the person's condition and to identify solutions to overcome them. After instances of long-term sickness absence, the Management Standards can play an important role in return to work plans by ensuring that employees are not subjected to excessive demands and pressures during their planned return.

## 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: INSPECTION AIDE MEMOIRE

<b>Aide Memoire Stage 1: Set up <sup>1</sup>and background conditions essential for success. Understanding what needs to be done/what the organisation is trying to achieve<sup>2</sup>.</b>	
Description	What to look for / encourage
<p>Ensuring the process has a firm foundation on which to build. Important activities include gaining senior management commitment and the securing of adequate resources.</p> <p>The setting up of a 'steering group' is one way of ensuring key stakeholder representation (but it is not the only way). The principle function of a steering group is to drive the process forward and manage the process. Within a specific organisation an existing working group may be able to take on some or all of these responsibilities. However it is essential that employees are involved at every stage of the process.</p> <p>Similarly good communications are essential for success. It is important to distinguish between top down communication (often the provision of information) and effective two-way communications.</p> <p>The Management Standards (MS) statements and their associated States To Be Achieved (STBA) describe good management practice as it relates to each of the six areas. The attainment of the STBA represents the desired outcome (success criteria) from the process.</p> <p>Organisations should be using the STBA to aim towards or they will need other alternative drivers for the process such as relevant key performance indicators (KPI).</p>	<ol style="list-style-type: none"> <li>1. Senior management commitment: <ul style="list-style-type: none"> <li>• Backing of the Board secured</li> <li>• Active involvement of senior management</li> <li>• Participation in communication activities</li> <li>• Allocation of resources – including nomination of a person responsible for the day-to-day running of the process who is allocated time set aside for the process. (Without this progress is likely to be slow – it is also a good sign of the organisations commitment.)</li> <li>• Delegated authority to 'steering group' or other structure that will take the work forward. Active involvement of a Board member chairing the group helps to ensure it has sufficient authority to maintain good progress.</li> </ul> </li> <li>2. Commitment and full backing from Trade Unions/staff side to the process ensuring a partnership approach</li> <li>3. A steering group (or other working group) tasked with taking the work forward. The membership should be relevant to local circumstances. Look for evidence of: <ul style="list-style-type: none"> <li>• Workers being involved and fully supportive of the approach</li> <li>• Allocation of roles &amp; responsibilities</li> <li>• Agreed 'terms of reference'</li> <li>• An activity plan with resource allocation</li> <li>• A communication/marketing plan</li> <li>• Progress reports</li> </ul> </li> <li>4. Is there evidence that effective channels of two-way communications are available and being used to feedback comments and raise issues?</li> <li>5. Have those running the process got a clear understanding of: <ul style="list-style-type: none"> <li>• STBA</li> <li>• Factors affecting sickness absence</li> <li>• Types of interventions (primary, secondary, tertiary)</li> <li>• Organisational approach</li> <li>• Continuous development</li> </ul> </li> <li>6. If the organisation is not using the STBA – what other KPI's are they using? Does this form a suitable basis for gap analysis?</li> </ol>

<sup>1</sup> Steering Group guidance

<sup>2</sup> Short guide to the Management Standards,

## Aide Memoire Stage 2: Data Gathering

Description	What to look for / encourage
<p>There are significant amounts of data, qualitative and quantitative, available that can be used to diagnose issues within an organisation. These data need to be systematically collected and analysed to provide an evaluation of the current state of the organisation against the desired state, as described in the STBA or other benchmarks. This is a preliminary quantitative gap analysis. The steering group or other subgroup may do this.</p>	<ol style="list-style-type: none"> <li>1. Visible support of senior management.</li> <li>2. Use of appropriate data which could include sickness absence data, staff survey data, staff turnover data, occupational health referrals, return to work data etc.</li> <li>3. Response rates from surveys, coverage of the organisation<sup>3</sup> etc.</li> <li>4. Data from existing initiatives can also be used.</li> <li>5. Any data analysis report should include:               <ul style="list-style-type: none"> <li>• List of data used</li> <li>• Identification of areas of current good practice</li> <li>• Identification of areas of current poor practice</li> <li>• Comparison with STBA, or other suitable key performance indicators (KPI) to identify possible problems- (preliminary gap analysis).</li> </ul> </li> </ol> <p>NOTE: This risk assessment process is a population approach but organisations must have arrangements for dealing with individual concerns as well.</p>

<sup>3</sup> HSE Indicator Tool User Manual

### Aide Memoire Stage 3: Solution Development <sup>4,5</sup>

Description	What to look for / encourage
<p>The quantitative gap analysis from the above step will be challenged or verified by employee groups and then employees and employers should work together to identify possible solutions to problems identified as outlined in the next stage below.</p> <p>The aim is to establish locally agreed primary interventions that address the 'gaps' identified in the previous step. Employee participation in the generation of interventions is important, as they are often closest to the issues identified. Employee participation in a collaborative forum helps secure 'buy-in' to the proposed intervention. It is important the employees feel free to speak openly and honestly. The number of employees involved in this stage will be dependent on the size of the organisations and local circumstances. However, it is important that all stakeholders are represented and have a route into the forum used.</p>	<ol style="list-style-type: none"> <li>1. Look at record of the fora used: <ul style="list-style-type: none"> <li>• Who participated – was it a representative range of staff?</li> <li>• What data was used/discussed?</li> <li>• Is the record of the fora an accurate record of the issues discussed?</li> </ul> </li> <li>2. Have a number of locally relevant reasonably practicable solutions been generated?</li> <li>3. Were all participants encouraged to contribute to discussions/identification of problems and solutions etc? Did they feel free to do so? What proportion of employees contributed to discussions?</li> <li>4. Are most of the interventions primary?</li> <li>5. Are primary interventions linked to the issues identified?</li> <li>6. Are interventions prioritised?</li> <li>7. Do staff believe that senior management will take on board the reasonably practicable solutions identified in this stage?</li> </ol>

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<sup>4</sup>Are you doing enough?

<sup>5</sup>Focus group guidance.

### Aide Memoire Stage 4: Action Planning

Description	What to look for / encourage
<p>The steering group (or other work 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/ departments should draw up directorate/department specific action plans for their own areas. The steering (or other) group should then hold the directorates/departments responsible for implementing the action plan. The interventions suggested need to be prioritised, resourced and assigned to an individual or function for completion within an agreed timescale. Use of the SMART (Specific, Measurable, Achievable, Realistic and Time bound) acronym for formulating interventions is recommended. Senior management or those with delegated authority need to approve the action plans.</p>	<ol style="list-style-type: none"> <li>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?</li> <li>2. Are actions: - <ul style="list-style-type: none"> <li>• Aimed at different levels of the organisation (strategic, macro or micro) relevant to the gaps identified?</li> <li>• SMART – it is important for organisations to identify what success looks like?</li> <li>• Adequately resourced?</li> </ul> </li> <li>3. Have the action plans have been communicated to all relevant staff?</li> </ol> <p>NOTE: Where appropriate, plans can be dovetailed with existing initiatives.</p>

<b>Aide Memoire Stage 5: Implementation</b>	
Description	What to look for / encourage
<p>To realise any benefits the agreed and approved action plans should be implemented as planned. The time frame over which actions (interventions) deliver their expected 'measurable' outcomes can vary. It is likely some will be aimed at quick-wins while others will be aimed at delivering long-term culture change.</p> <p>Procedures should be in place to measure and evaluate the effectiveness of specific actions contained within the action plans.</p>	<ol style="list-style-type: none"> <li>1. Evidence of planned implementation of interventions in line with timescales in the plans.</li> <li>2. Recording progress against action plans.</li> <li>3. During the implementation phase inspectors need to monitor progress and encourage management to: <ul style="list-style-type: none"> <li>• Check for desired outcomes</li> <li>• Undertake further data gathering (when appropriate)</li> <li>• Start to plan the next review cycle</li> </ul> </li> </ol>

## 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. The Management Standards for work-related stress and associated guidance material can be found on the HSE website stress pages: [www.hse.gov.uk/stress/index.htm](http://www.hse.gov.uk/stress/index.htm)

2. Managing the causes of work-related stress – A step-by-step approach using the Management Standards. HSG218. ISBN 9780717662739. Free download available <http://www.hse.gov.uk/pubns/priced/hsg218.pdf>
3. <http://www.hse.gov.uk/stress/experience.htm> Link to the case studies page of the HSE website.
4. Tackling stress. The Management Standards approach. INDG 406. ISBN 0717661407. Free download available. <http://www.hse.gov.uk/pubns/indg406.pdf>
5. Working together to reduce stress at work. A guide for employees. MISC 686. ISBN 0717661229. Free download available. <http://www.hse.gov.uk/pubns/misc686.pdf>
6. Making the stress Management Standards work. How to apply the Standards in your workplace. MISC 714. ISBN 0717661571. Free download available. <http://www.hse.gov.uk/pubns/misc714.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. The Management Standards for work-related stress and associated guidance material can be found on the HSE website stress pages: [www.hse.gov.uk/stress/index.htm](http://www.hse.gov.uk/stress/index.htm)

2. Managing the causes of work-related stress – A step-by-step approach using the Management Standards, HSG218. ISBN 9780717662739. Free download available <http://www.hse.gov.uk/pubns/priced/hsg218.pdf>
3. <http://www.hse.gov.uk/stress/experience.htm> Link to the case studies page of the HSE website.
4. Tackling stress. The Management Standards approach. INDG 406. ISBN 0717661407. Free download available. <http://www.hse.gov.uk/pubns/indg406.pdf>
5. Working together to reduce stress at work. A guide for employees. MISC 686. ISBN 0717661229. Free download available. <http://www.hse.gov.uk/pubns/misc686.pdf>
6. Making the stress Management Standards work. How to apply the Standards in your workplace. MISC 714. ISBN 0717661571. Free download available. <http://www.hse.gov.uk/pubns/misc714.pdf>

## **APPENDIX 5: POINTS TO CONSIDER WHEN SERVING AN IMPROVEMENT NOTICE**

- Inspectors are advised to contact HSE's Health Unit (0131 247 2000) 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. Health Unit can assist.
- 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 HSE's Corporate Specialist Division 4 – Human Factors, Ergonomics and Work Psychology. 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. [OC202/5](#) Work-related Stress
2. [LAC 81/4](#) Work-related Stress
3. 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>
4. Tackling stress. The Management Standards approach. INDG 406. ISBN 0717661407. Free download available. <http://www.hse.gov.uk/pubns/indg406.pdf>
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6. Making the stress Management Standards work. How to apply the Standards in your workplace. MISC 714. ISBN 0717661571. Free download available. <http://www.hse.gov.uk/pubns/misc714.pdf>
7. Managing work-related stress. A guide for managers and teachers in schools. ISBN 0717612929. Priced. Available from HSE books [www.hsebooks.com](http://www.hsebooks.com)
8. Management Competencies for preventing and reducing stress at work (2007) RR553 <http://www.hse.gov.uk/research/rrpdf/rr553.pdf>
9. Managing sickness absence and return to work. An employers' and managers' guide. HSG 249. ISBN 0717628825. Free download available. <http://www.hse.gov.uk/pubns/priced/hsg249.pdf>
10. Off work sick and worried about your job? Steps you can take to help your return to work. INDG397. ISBN 0717629155. Free download available. <http://www.hse.gov.uk/pubns/indg397.pdf>
11. WEB02 – Working together to prevent sickness absence becoming job loss: practical advice for safety and other trade union representatives <http://www.hse.gov.uk/pubns/web02.pdf>

12. Link to the case studies page of the website  
<http://www.hse.gov.uk/stress/experience.htm>
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<http://www.hse.gov.uk/research/rrpdf/rr169.pdf>
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<http://www.hse.gov.uk/research/rrpdf/rr138.pdf>
15. The scale of occupational stress: the Bristol stress and health at work study  
Contract Research Report 265  
[http://www.hse.gov.uk/research/crr\\_pdf/2000/crr00265.pdf](http://www.hse.gov.uk/research/crr_pdf/2000/crr00265.pdf)
16. Work-related factors and ill health – The Whitehall II study Contract Research Report  
[http://www.hse.gov.uk/research/crr\\_pdf/2000/crr00266.pdf](http://www.hse.gov.uk/research/crr_pdf/2000/crr00266.pdf)
17. A business case for the Management Standards for stress (2006) Research Report 431  
<http://www.hse.gov.uk/research/rrpdf/rr431.pdf>
18. Farmers, Farm Workers and work-related stress (2005) Research Report 362  
<http://www.hse.gov.uk/research/rrpdf/rr362.pdf>
19. 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>
20. 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>
21. 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**

### **BIS**

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1 Victoria Street  
London SW1H 0ET  
[www.berr.gov.uk](http://www.berr.gov.uk)  
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