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**East Herts Council**  
**Stress Management Policy**  
**December 2007**

## **East Herts Council**

### **Stress Management Policy**

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## **Introduction**

The Health and Safety at Work etc. Act 1974 requires East Herts Council to ensure, so far as is reasonably practicable, the health and safety of its employees at work.

It is not the practice of East Herts to intrude upon the privacy of its employees, particularly in health matters, where the condition does not affect them undertaking their normal range of duties or for delivering services to the community. However East Herts does become concerned where health or behaviour impinges on the health and safety of the individual or other employees and third parties, through neglect, poor work performance, and poor conduct and anti social behaviour.

In creating this Policy East Herts acknowledges that Stress may be caused by personal issues or work related matters or may be an effect of a work related matter e.g. conflict with colleagues, managers, change, bereavement or as a result of an incident with members of the public.

## **Definitions**

### **Stress**

The Health and Safety Executive define stress as:

*'The adverse reaction people have to excessive pressure or other types of demand placed on them'*

This makes an important distinction between pressure, which can be a positive state if managed correctly, and stress which can be detrimental to health.

There are many causes of stress, these can be work related, personal issues or a combination of factors, through consultation and discussion with the Occupational Health Advisor individuals can be helped to identify these issues.

### **Post Traumatic Stress Disorder (PTSD)**

Post Traumatic Stress Disorder (PTSD) is a natural emotional reaction to a deeply shocking and disturbing experience. It is a *normal* reaction to an *abnormal* situation.

### **Pressure**

Pressure is part and parcel of all work and helps to keep workers and managers motivated. It is *excessive* or *uncontrolled* pressure which can lead to stress which undermines performance, is costly to employers and above all can make people ill. Stress is therefore a response to pressure. To some degree pressure can be beneficial, when it inspires motivation and commitment, but excessive pressure becomes stress which is harmful and can lead to major illness.

## **Aims and Scope of the Policy**

This policy has been designed to help protect the employer and employees from the exposure and danger of work related stress and associated effects and to encourage those who may have a problem to seek help. The policy applies to all employees of the Council.

The Council's approach and response, based on advice from specialist sources such as the Health and Safety Executive, and UNISON, where an employee has registered a stress related problem, will be to provide support and assistance and to first identify and manage the source of the concern, (as far as is possible) outside the capability procedure.

The Council recognises that if employees can be helped through counselling and advice, it may be possible to retain their skills and knowledge as valued members of the workforce. It recognises that stress can affect staff at all levels in the organisation and individuals have different coping mechanisms, it recognises that each case must be handled sensitively and that one approach may not suit all individuals.

To effectively implement the policy the Council will:

- Respond to individual and work place stressors and conduct risk assessments of job roles and undertake reasonable activities to eliminate or control the risks from stress. Risk assessments must be regularly reviewed and updated.
- Provide a support mechanism for Managers to assist with managing work related stress issues.
- Provide an Employee Assistance Programme (EAP) open to all employees.
- Ensure that accurate information on identified cases is retained and that a detailed record of how cases are managed is kept.
- Provide support procedures that are clear for all employees

## **Disciplinary Action**

Disciplinary action is reserved as a last resort when an individual persists in behaviour consistent with behaviour known to cause work related stress or commits an act of gross misconduct that may lead to summary dismissal under the Councils Disciplinary procedure.

Therefore, this policy applies to all employees of the Council and aims to:

- Promote greater awareness of stress.
- Provide management support when addressing stress related issues
- Achieve a balance between employee support and discipline when dealing with stress related issues
- Encourage and support self-referral or intervention at an early stage of stress, and
- Meet the Councils legal obligation to discharge its duty of care to its employees and clients.

## **Legal Duties and Framework**

Although there is no specific legislation at controlling stress at work, employers have a legal duty of care as prescribed under the following legislation:

### The Health and Safety at Work etc. Act 1974

Outlines an employer's duty of care to provide a safe working environment for all employees, visitors, contractors and users of the Council facilities.

### Management of Health and Safety at Work Regulations 1999 (MHSWR)

The duty of care to manage and implement effective stress management falls with the regulatory framework of the Management of Health and Safety at Work Regulations 1999 (MHSWR) in accordance with these regulations, the Council will assess the risks to health and safety to which its employees are exposed while at work.

## **Responsibility: Chief Executive, Directors and Service Heads**

The Chief Executive has primary responsibility for ensuring that the Council upholds its duty of care to health and safety in the workplace.

The Chief Executive, supported by the Directors shall support proactive and meaningful approaches to stress management in order to promote, encourage and develop a positive working culture and shall:

- Read and understand the requirements of this policy and support the aim and intent of this policy.
- Recognise the effects of work and non work related stress that they themselves are exposed to.

To support the Chief Executive and the Directors the Heads of Service are required to:

- Read and understand the requirements of this policy and support the aim and intent of this policy.
- Recognise the effects of work and non work related stress that they themselves are exposed to.

The Chief Executive, Directors, Service Heads and all employees must be mindful of avoiding the traps of:

- Working excessive hours, evenings and weekends
- Not taking proper breaks
- Not taking leave entitlement
- Working when unwell or through periods of ill health

The Council recognises that for effective and proactive stress management to take place, the Chief Executive, Directors and Service Heads shall be supported through:

- Effective training on Stress Management
- The Councils Employee Assistance Programme.
- Occupational Health support

The Chief Executive shall execute the duty of care for the management of stress in the workplace through delegated powers to the Directors.

The Corporate Management Team is responsible for ensuring that Heads of Service implement and use the policy effectively.

### **Responsibilities of Heads of Service**

Heads of Service shall have responsibility to:

- Conduct work activity and job role risk assessments within their service areas under guidance from the Health and Safety Officer and where appropriate the expert advice of the Councils Occupational Health Service provider.
- Ensure good communication between management and staff, particularly where there are organisational and procedural changes.
- Ensure staff are fully trained to discharge their duties and are provided with meaningful and effective development opportunities
- Monitor work loads to ensure that people are not overloaded
- Monitor working hours and overtime (where applicable) to ensure that staff are not building excessive hours. Ensure that employees are taking required rest breaks and monitor holidays to ensure staff are taking their full entitlement.
- Attend training as requested in good management practices and health and safety
- Ensure that the Councils Policy on 'Bullying and Harassment' is upheld
- Be vigilant and offer support to employees who may be experiencing stress outside the working environment e.g. bereavement, separation.



## **Responsibility of Line Managers**

Line Managers are responsible for delivering the aims and objectives as outlined by the Chief Executive and the Directors and in accordance with instructions from Heads of Service, in their capacity as the operational manager they are required to keep Heads of Service informed of operational performance and of any issues that arise that may affect or impact on the team.

Line Managers are encouraged to discuss return to work options, e.g. following successful treatment so that the employee returns to the same job they were undertaking (for advice on this, contact the Occupational Health Adviser). Line Managers must also consider if work activities and workloads need reviewing (for support and advice on conducting a work activity risk assessment, contact the Health & Safety Officer).

It is important that Line Managers agree contact arrangements with employees where long term absences arise. For advice on this please contact the HR Team.

## **Responsibility of Individuals**

Managing stress is firstly the responsibility of individuals, secondly the employer and thirdly colleagues.

All employees of the Council have a responsibility to ensure they raise issues of concern with their Line Managers.

All employees are required to co-operate with responsible arrangements designed to address and achieve a successful resolution to stress related issues. Such arrangements may include:

- Referral to Occupational Health
- Self referral to Occupational Health
- Phased and planned return to work arrangements
- Agree contact arrangements with their manager if absent from work.
- Outcomes of work activity risk assessments
- Instructions from General Practitioners
- Make full use of the Employee Assistance Programme

## **Role of People and Organisational Services**

The Team will support and lead on cases involving stress related absence and are available to provide support, guidance and assistance:

The Team can:

- Assist and support Service Heads through the process
- Provide guidance to managers on the Policy.
- Assist in monitoring the effectiveness of measures to address stress by collating sickness absence statistics.
- Explore a range of options to assist in the resolution of issues, including return to work plans etc.
- Advise managers through the referral process.
- Encourage staff to use the Employee Assistance Programme where relevant.
- Alert Line Managers when the team becomes aware that a member of the managers staff is off due to stress.

## **Occupational Health Service**

Occupational Health Services are trained and professional health care providers and their role is to:

- Provide specialist support and advice to Managers when an employee has been referred or has self referred where work related stress has been stated.
- Advise Managers on the referral process.
- For further details and appointments please contact the HR Administrator on ext 1632. For further details
- Advise on rehabilitation of suitable adjustments to the workplace to facilitate return to work avoiding a recurrence of the problem.

## **Referral**

Upon receipt of self certification or medical certificates from a GP, where the reason for absence is stated as stress and/or depression Line Manager must refer the employee to the Occupational Health Advisor to ensure that appropriate advice and support is made available.

Where an employee self refers to Occupational Health, claiming stress and/or depression they should advise their Line Manager to ensure that appropriate advice and support is provided.

## **Referral Process**

Appointments for referral and self referral must be made through the HR Administrator, ext 1632 and accompanied by a completed Occupational Health Referral Form located on the intranet.

## **Role of Trade Union Safety Representatives**

Safety representatives are appointed by trade unions to represent their members on health and safety issues. The Safety Representatives and Safety Committees Regulations 1977 set out their legal functions, which include:

- representing employees in discussions with the employer on health, safety or welfare issues and in discussions with HSE or other enforcing authorities;
- being involved with risk assessment procedures;
- having access to relevant health and safety information;
- inspecting the workplace;
- investigating potential hazards;
- investigating notifiable accidents, cases of diseases or ill health, and dangerous occurrences;
- investigating employees' complaints;

Safety representatives and appointed management representatives should work jointly to ensure openness and transparency to achieve the delivery of proactive and effective health and safety.

## **Support Services and Advisory Bodies**

### **Employee Assistance Programme**

The Council has in place an Employee Assistance Programme (EAP) that is open to employees and their families. It is a confidential service provided by 'Positive People Company' (PPC)

#### **What is it?**

An employee assistance programme (EAP) is put in place to help employees deal with any issues - at home or work - that if left unchecked could cause stress or affect well-being, with the obvious knock-on effects of lowering productivity and increasing absenteeism.

The Council encourages employees to take full advantage of the range of services offered by the EAP.

You can call the EAP any time, day or night, free and **in confidence**.

**Freephone 0800 282 193**

'minicom users: **0800 085 4739 hearing/speech impaired only**'

### **Health and Safety Executive**

The Health and Safety Executive has developed a series of guidelines and Management Standards to help employers develop good stress management procedures. These are not mandatory requirements as the role of the HSE is to provide guidance and information on a range of health and safety issues.

To view the advice provided click on the following link

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

### **Policy Review and Amendment**

This Policy shall be reviewed every two years and where changes in guidelines, legislative changes or the introduction of new legislation, contact details or new information useful to the execution of the policy are made in order to reflect the best possible level of support and management.

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