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1. Office space update

The British Institute of Facilities Management (BIFM) has used a “workplace effectiveness and audit service provider” – a company called Leesman - to conduct a “post-recessional workplace review”. We like the optimism expressed by “post-recessional”. This report claims that 58% of employers were trying to increase the number of workers in an office, following the example set by George Osborne in the Treasury. 61% of employers reported they were ‘encouraging’ flexible working for all staff, to reduce the need to have office space for workers.

Quotes from the chief executive and managing director of BIFM and Leesman respectively included the following words and phrases:

- expensive corporate environments
- each square metre of the workplace is having to work harder
- compressing occupant densities
- remote or flexible working strategies
- dispersed teams
- act as the ‘mother ship’ to those nomadically displaced
- ‘hot’ or ‘hotelling’ desks
- face-to-face activities

As well as using this managerialist gobbledeygook, Leesman claims that most employees accept the trend towards the loss of their solo office; UCU Health & Safety thinks it’s more like they understand they have little choice in the matter, as most decisions are taken without any consultation. 71% of respondents told Leesman that their organisation was looking for more effectiveness from both their staff and their property. I think we already

know what that means for universities and colleges with our experience of open plan offices and hot desking so far, and larger student groups that mean increased productivity.

All this is new management speak for employers saving corporate cash by transferring costs to individual employees. They can do this directly by getting (or as some say, permitting) employees to work from home or the car boot, or indirectly by undermining what many staff believe to be acceptable and necessary standards of workplace accommodation for academics by reducing expenditure on office space as above. Your precious 11 cubic metres in the staff room is under attack, as is the security, privacy and the quiet working area that academic staff often need. Where HEFCE's space management working group leads, the FE sector and others will follow.

The full results of the survey will be published soon. The initial report is available at <http://www.workplacelaw.net/news/display/id/31233>

2. Firms averse to worker involvement

Employers have little enthusiasm to fund worker-involvement programmes aimed at improving health and safety, and the majority don't even know where to begin. These key findings emerge from an investigation into the extent of worker involvement in health and safety (WISH) in non-unionised workplaces in Scotland, undertaken by RoSPA for the HSE in Scotland.

The project, which aimed to learn what WISH looks like in practice, built on evidence that firms with "properly involved" trade union safety reps performed better on health and safety than those without. It comprised a survey of 240 individuals, interactive workshops, and a number of good-practice case studies. The project discovered that while positive action does occur in some non-unionised workplaces, they concluded that it usually follows the employer's agenda and is confined to practical consultation rather than joint decision-making.

Examples of very good practice were only evident in around 10% of organisations, with a further 20-30 per cent doing something positive. Most of the remaining employers claimed they were interested in involving their workforce to some extent, but seem to have little idea how to do it. Worker involvement needs to be sold to employers as something that is integral to the way they should run their business, and which supports good decision-making.

Common barriers to WISH highlighted by the project included: lack of resources, knowledge and time; fear of managers; lack of respect shown by managers; transient workforces; remote and peripatetic workers; and cultural attitudes.

RoSPA Scotland believes that unless employers involve their workers in day-to-day decision-making about health and safety issues, or about longer-term plans, they will not be able to benefit from employee's suggestions, or tap into their knowledge of what actually goes on in the workplace.

A lot of this sounds very familiar. How much of it could also apply to tertiary education, where unions are relatively well organised?

www.rospa.com/occupational-safety/current-campaigns/wish for a copy of the report *Worker Involvement in Health and Safety: What works?*

3. Phew – not a scorcher!

The appearance of the first temperature enquiry this winter was on Monday 15 November from North Lindsay College in Lincolnshire, caused by heating breakdown – congratulations to them. We have received a few more since then.

Let's keep this simple.

The Workplace Health, Safety and Welfare Regulations 1992 (Regulation 7(1)) require the employer to maintain a reasonable temperature in the workplace. Paragraph 43 of the Approved Code of Practice says the minimum should be 16 degrees Celsius. CIBSE (The Chartered Institution of Building Services Engineers) the professional and standards setting organisation recommends a range of 19 - 21 degrees Celsius for classrooms in educational establishments. Regulation 7(3) also requires the employer to provide a sufficient number of thermometers, conveniently placed, so that people at work can check the temperature. Environmental monitoring sensors can now collect data that is downloaded to a computer, thus making a complete record available for 24 hours a day. Download the Workplace Regulations from <http://www.hse.gov.uk/pubns/books/I24.htm>

The HSE have provided detailed guidance on workplace temperature – HSG 194; Thermal Comfort. If anyone wants more detail about this document, ask your employer to purchase a copy for you, or e-mail jbamford@ucu.org.uk. It isn't one of the documents available on the HSE website as a free download.

See also http://www.ucu.org.uk/media/docs/0/a/hsfact_temp_vent.doc for the UCU sample inspection checklist on workplace temperature, linked to ventilation.

UCU Health & Safety Advice doesn't think that workplace temperature should be treated any differently from any other workplace hazard. If the building was on fire everyone would know what to do - most employers wouldn't insist staff remain in a burning building and carry on working. The law provides a statutory requirement on temperature, and employers have a duty to comply with that. If they don't, they commit a criminal offence. When an employer is prosecuted under H&S law, they appear in a magistrates or Crown Court, the criminal courts. Carlisle Council recently prosecuted clothing firm Internationale as it was found that the Carlisle store working conditions were too cold. The company was fined £2,000 plus costs. See <http://www.workplacelaw.net/news/display/id/31528>. The company has over 150 stores in the UK, so £2,000 isn't much of a penalty, but it shows some determination to enforce the law where employers refuse to deal with it.

The HSE made Glasgow City Council deal with a heating problem in 29 secondary schools in 2008 which ended up costing them almost £10 million. The HSE acted following repeated requests and complaints over more than two years by teachers and their unions. For more information see <http://www.heraldscotland.com/news/education/teachers-fight-for-reasonable-temperatures-1.998199> and <http://discuss.glasgowguide.co.uk/index.php?showtopic=13566>

It may well be that it's a system breakdown and unforeseeable, but that does not absolve the employer from the duty to maintain a reasonable temperature. So when it's cold:

- The Regulations make no provision for a "warming-up" period. The workplace should be warm at the time that work begins.
- The employer should either provide local supplementary or replacement heating in all parts of the building in use, or send people home.
- All staff should notify as many managers as possible that they consider the temperature is unreasonable.
- Students should also complain.
- UCU safety reps should take-up complaints with the employer immediately.
- The unions locally should suggest the employer seek the guidance of the HSE Inspector responsible for the college in respect of this if nothing happens.

Everyone should be encouraged to do something to get the employer to deal with the issue. People at work need to work in a reasonably warm environment. Doing nothing and carrying on just allows the employer to treat our members with contempt and break the law without challenge. We would then be complicit in the crime. UCU reps should lead on this, and focus collective complaints so they provoke employer action to deal with the problem. Best wishes for a warmer New Year.

4. 'Fit Notes' – unfit for purpose?

Insurance company Aviva has found that 65% of GPs feel ill-equipped to provide 'Fit Notes', and even more (68%) believe that 'Fit Notes' will not cut absence levels in the workplace, a considerable increase in scepticism from a similar survey in 2009, when just over half believed this.

Aviva's Health of the Workplace 2010 study surveyed over 1,000 employees, 500 employers and 200 GPs. Fit notes were recommended by Dame Carol Black in her 2008 report "Work and health", and were introduced in April 2010 to replace traditional sick notes. The Dame said they would help to reduce absence in the workplace by removing perceived barriers that prevented employees returning to work until they were completely recovered from illness or injury. Then, as now, many of us believe this is more to do with absence control rather than health or fitness recovery.

A 'Statement of Fitness for Work', (the formal title of the 'Fit Note') provides for two outcomes: a patient could be declared 'unfit for work', or 'may be fit for work'. GPs can then

advise employers on ways in which employees could be helped – by a reduction in hours for example, changes to duties, or an adaptation to the working system or environment. An informal report has been circulating that on one fit note issued by a GP, the recommendation was that the employer sack the supervisor so the worker could return to work without further risk of damage to their health! We have also come across a case where the GP recommendations were hedged with conditionality rather than direct recommendations, giving the employer room to manoeuvre around them.

68% of employers said they had little information about the change in 'Fit Note' policy despite the DWP producing comprehensive guidance for doctors, employers and workers (see <http://www.dwp.gov.uk/fitnote/>) and 95% of the employers questioned thought that 'Fit Notes' will not be effective in reducing absence. (Again, whatever happened to helping workers recover from illness or injury?)

More than half of the employees in the survey (57%) thought their GP did not know enough about their workplace and job to say whether or not they could return to work.

The survey report concludes that, although "significant process changes take time to embed, there's clearly room for improvement in the system before we see a positive impact on absence rates." UCU Health & Safety Advice says "Don't say we didn't tell you!" The author of this poorly thought-through initiative, Dame Carol Black, is now a central figure in the HEFCE-funded "wellbeing and engagement" project – pause for thought?

The full Aviva report is available from

<http://www.aviva.co.uk/library/pdfs/health/health-of-the-workplace4.pdf> See the TUC Guide at <http://www.tuc.org.uk/extras/fitnote.pdf>

5. You can wipe that smile off your face

Job satisfaction has shown an unexpected increase across UK workplaces during the autumn, according to the Chartered Institute of Personnel and Development's (CIPD) quarterly Employee Outlook survey, suggesting that the 'fixed grin' phenomenon identified by their May 2009 survey has returned. See the May 2009 survey report at

http://www.cipd.co.uk/pressoffice/_articles/EmployeeOutlook050509.htm?IsSrchRes=1.

However, this reported increase in job satisfaction has not resulted in any decrease in stress levels experienced by public sector workers. One in four public sector workers believe it is likely they will lose their jobs and 63% say stress has increased as a result of the economic downturn. See page 3 of the latest report at

http://www.cipd.co.uk/research/_employee-outlook/overview.htm?IsSrchRes=1

This survey presents a bleak picture of employee attitudes throughout the UK, following the cuts to public spending announced in the Comprehensive Spending Review. Despite this gloomy outlook, the level of job satisfaction appears to have increased over the previous

quarter. How can this be? Is it related to the Government's intention to find ways of quantifying "happiness" (at an estimated cost of £2 million)?

CIPD says that the findings echo what happened during early spring 2009, when job satisfaction rose before falling as economic and employment conditions improved. They suggest that when faced with an uncertain outlook employees simply place more value on having a job than they do during more benign economic times. They are also less likely to think the grass may be greener with another employer; not surprising given that two-thirds of employees think it would be difficult to find a new job if they lost their current one.

Half public sector workers reported their organisation is planning redundancies, compared to only 17% of private sector workers; and 44% of public sector workers said they are under excessive pressure at work either every day or once or twice a week; and reported increases in stress and related absence caused by conflict at work and bullying by line managers.

CIPD says the survey shows some real causes for concern, with job insecurity and stress at high levels and trust in senior management at extremely low levels. With just one-fifth of public sector staff agreeing that they trust their senior leaders compared to half who don't, there is a danger that employee commitment could nosedive and have a really damaging effect on the quality of service delivery.

UCU understands the need for and supports the continuation of high-quality provision, and with the CIPD believes that this increases the importance of public sector employers consulting and involving staff over changes and ensuring that managers at all levels are equipped with the management skills needed to motivate and support staff. In the view of many of our reps in the Further and Higher Education sectors, that would require some considerable change in managerial culture and practice; and this has been suggested in documents from the current HEFCE-funded project on 'wellbeing'.

It remains to be seen if employers can rise to the challenge. As one example of how employers might do so, we await with interest the responses to Will Hutton's just-published recommendation that the ratio between the lowest and highest salaries paid in public sector institutions should be a maximum of 1:20. Dare we suggest the benchmark 'lowest' should be that of a contract cleaner working a few hours a week on the minimum wage.

6. Another simplistic approach to risk assessment

Since our last issue where we drew your attention to the new HSE on-line office "risk assessment", in the further interests of simplification they have now come up with a similar document for classrooms. Let's suggest a proportionate response from the outset; our overall view is that this on-line dog's breakfast effectively removes risk assessment from the process of risk assessment, and strikes me as an example of the HSE's own drift towards trivialisation.

For a start, it isn't clear who this aimed at. It says this is for a classroom teacher to use, then in the first section on "Slips and Trips", the statements that seek to show that you (? the classroom teacher) are already doing things that protect yourself and pupils includes things that cannot be a teacher's responsibility – for example ensuring changes in floor levels are highlighted (there should not really be any in the first place, but should teachers carry a roll of reflective tape and a bundle of signs?); ensure floors are in good condition (how does the teacher rectify this if they aren't? Spend a lesson laying some new lino?); ensure rooms are well lit (teacher to bring in extra candles?).

Under "Falls", the statement is that "Staff are shown how to access files on high shelves safely." If this is aimed at the teacher, then which staff does this refer to? The way this is written it is clearly aimed at the employer. And what about the idea that shelves shouldn't be so high as to present a risk of injury either by manual handling of loads or climbing to place or remove items? The same confusion is apparent in other sections, and the section on asbestos reduces and obfuscates the management role; and you might well think the reference to a union representative is a bit of tokenism.

Under 'Furniture' the statement "Furniture is in good repair and stable/properly fixed" reminds me of an enquiry a few years ago where a college head of school told members of staff that if a student was injured in their classroom because of broken furniture, the lecturer would be held responsible. The enquiry was to ask if staff should take out personal insurance to protect themselves against this eventuality! As I recommended in that case, perhaps the lecturer should spend the first 15 minutes of the class carefully inspecting the furniture to ensure it was in good condition before allowing students into the room. That resolved that particular bit of managerial nonsense.

Stress is reduced to the nebulous (and in the absence of any agreed definition, meaningless) concept of 'wellbeing', and makes single references to only three of the 6 stress management standards – Change, Demands and Support - Role, Relationships and Control don't figure.

This is very basic even where it touches; it says nothing about the legal duties on the employer, nor gives any real clue about who is responsible; it trivialises stress, DSE and other things; misses out completely on fire-risks and precautions; says nothing about room layout, overcrowding and numbers; no mention of the potential for violent incidents; temperature and ventilation are ignored; nothing about welfare facilities; interactive whiteboards and projectors, and other sources of non-ionising radiation; simplistic references to "hazardous" substances (glue and paint –what school today uses either of these that contain aromatic solvents?) - although the reference to plaster casting is not a trivial matter. You may recall the case of a young woman whose hands had been burned by immersion in plaster of paris. See Item 8 of Health & Safety News Issue 34; November 2009 at http://www.ucu.org.uk/media/pdf/e/r/hsnews34_nov09.pdf

Neither does it cover any of the other places where teaching takes place such as the wide range of laboratories, many different kinds of workshops, design and technology rooms, print studios, art rooms, gymnasiums, playing fields, and so on.

This document dumbs-down the process of risk assessment, and encourages the idea that anyone can do a risk assessment without any experience, knowledge of standards or training in the process. But this is NOT a risk assessment. Risk assessment is a process that looks at all aspects of the teacher's job and work, not just a room in which it is done. Even if this were a risk assessment, it's not true that anyone can just do one. Don't forget that risk assessors have to be competent, and employers must consult with union safety reps about the appointment of competent people who do, amongst other things, risk assessments. Overall, this is at best a basic *chalk & talk* classroom checklist, and incomplete at that.

<http://www.hse.gov.uk/consult/condocs/risk-assessment/classroom.htm> – and click the link in the first bullet point. Go through it. Make a response to the HSE – you have until 4 February 2011. Something to do on Boxing Day if shopping in the sales doesn't appeal. Whatever else you do, keep an eye on your employer for signs they may think about using it. This reductionist approach does not help to ensure safe workplaces – it is demonstrably NOT "suitable and sufficient" as the law requires, so challenge any attempt to use this.

7. More for the stress toolbox

a) Assessing emotional health

Business in the Community (BITC) has just released a new assessment tool aimed at helping managers assess the impact of their managerial performance on the staff they supervise.

<http://www.managingemployeewellbeing.com/bitc/>

It is a bit like the HSE's stress management approach in the Line Manager Competency Indicator Tool - <http://www.hse.gov.uk/stress/mcit.htm>, and emphasises the same thing – that they want employers and managers to be nice to the staff they employ or supervise, which in many cases will require employers to completely rethink their managerial practices. So just how good are employers in treating their staff nicely? Here's what one recent survey found:

b) Depression not good enough reason for time off, say half of employers

<http://www.personneltoday.com/articles/2010/12/08/57068/depression-not-good-enough-reason-for-time-off-say-half-of.html>

New research reveals that more than half (52%) of the 1,822 firms surveyed by online therapy service Mentaline.com do not consider depression as a good enough reason to take

time off, while more than one in five admit that they would be less likely to employ someone if they knew they had a history of mental illness.

More than a third (39%) of employers “struggle” to take mental health seriously. Almost two-thirds (64%) fail to view anxiety as a good reason for sickness leave, and nearly three-fifths (59%) say the same about stress. They aren’t even happy about depression, a clinically-diagnosable condition.

Just over two-thirds (68%) revealed that they would be more sympathetic towards employees with a physical illness than those suffering from mental illness.

That’s from the horse’s mouth. That’s the scale of ‘cultural change’ we are facing. Makes the slopes of Everest seem quite gentle.

8. Wellbeing exposed in Salford

Salford University have now exposed what the senior management there believe the term “wellbeing” means. It means making job loss and significant organisational change palatable. The university has initiated a “Transformation Programme” in order to become an “upper quartile university by 2017.” The latest bulletin (“delivered to you by Internal Communications” – that sounds an Orwellian part of the organisation) states that there will be up to 260 job losses as a direct result of this programme, and considerable changes in the organisation that will impact on staff at all levels.

Concern for the staff who will be affected is evident in the bulletin. “To ensure you are fully supported as we work through the Transformation Programme, the Human Resources Division is currently developing a comprehensive programme of support” to help staff “maintain optimum health and wellbeing through the change.” From 1 December, “First Assist - a leading provider of life management support” will be offering free services to employees on a range of issues including financial problems, bereavement issues, legal matters and emotional and physical health. And rightly so – all these can be consequences of losing your job when you need to keep it. FirstAssist is part of Capita - the organisation that in the past has taken millions of pounds from the UK government while failing to deliver on a number of projects. They continue to be a major provider of outsourced services. <http://www.first-assist.com> for more information about what they do, besides redistributing large amounts of taxpayers money to themselves.

You will need to copy this link into your web browser in order to access the document “Our People” from Salford University:

http://staff.salford.ac.uk/documents/hr/employee_support_guide_ver1_nov2010.pdf. Your institution may be thinking about something similar – ask them. Under Help and Support (page 14-15) the £3 a session lunchtime yoga class every Thursday sounds good, but what about aromatherapy on Mondays? Comments welcome.

9. More concerns about cuts

The All Party Parliamentary Group on Occupational Safety and Health has published a booklet expressing concerns about the proposed cuts to the HSE budget. The group believes that cuts in prevention are a false economy, and that any reduction in HSE activities will lead to increased costs from sickness absence, compensation and benefit costs, and that the cuts are likely to lead to an increase in the numbers of deaths, injuries and illness caused by work. The group says this does not fit with the government's stated intention of reducing the numbers on sickness and injury-related benefits.

While all-party groups have no formal status in the parliamentary process, they are a vehicle that brings together MP's who share an interest in a particular issue or topic, and provide one valuable way to raise its profile. In recent years the sub-group on asbestos has been more prominent than the parent committee, so it's good to see that the main group members agree there is not only a need to maintain HSE resources, but good reasons why they should be increased.

The group membership comprises 5 Conservatives, 6 Liberal Democrats and 10 Labour members. Jim Sheridan MP, the Chair of the group, commends this booklet to everyone.

For a copy of the booklet by the All Party Parliamentary Group on Occupational Safety and Health visit:

http://www.ucu.org.uk/media/pdf/t/0/hsecuts_allpartygroupreport.pdf

10.and finally

It's that time of year again – where there is much to look forward to, but with real threats to our member's jobs, health and welfare looming over the horizon to spoil the view. It has been a difficult year for so many workers – a year where an economic crisis caused by banks and other financial institutions has been turned into a crisis caused by the sick and injured, welfare claimants and public sector workers. How does that work? And now we know that those who will pay the price fall into the latter categories, but that's not surprising. As any first year accountancy student will tell you, the way to profit is to control your costs; and as Marx said, most costs an employer faces are fixed – labour provides the flexibility at the margin where surplus value is realised. Even Adam Smith wouldn't approve of the nature of this kind of neo-liberal capitalism, and the commodification of tertiary education that is being imposed on us.

UCU Health & Safety would like to wish all our activists and safety reps the compliments of the season; hopes you will enjoy the excesses of Christmas (that's the hedonic way to wellbeing – next year's HSE calendar (if they produce one) to the first person to tell me what the eudaimonic way to wellbeing is) and return to continue the fight to improve conditions and wrest back some control over employer excesses in the new year.

Training in 2011

Key dates and events for health and safety reps over the next twelve months are available here: <http://www.ucu.org.uk/index.cfm?articleid=3140>

Contact UCU Health & Safety Advice

UCU Health & Safety Advice is provided by the Greater Manchester Hazards Centre, and is available for 3 days each week during extended term times. The contact person is John Bamford: (e) jbamford@ucu.org.uk (t) 0161 636 7558

Visit the **UCU Health and Safety web page:**
<http://www.ucu.org.uk/index.cfm?articleid=2132>