



## ***DEALING WITH WORK-RELATED STRESS: THE BRITISH WAY***

One of the more controversial issues today is that over the relationship between job stress and an employee's health. On November 3, 2010, it was "National Stress Awareness Day" in the United Kingdom (U.K.). This day was created by the [International Stress Management Association](#) (ISMA) in order to raise awareness and create an opportunity to alleviate stress in the workplace. Recent research by [AXA Insurance Company](#) states that U.K. stress levels have doubled in 4 years. This statistic is no doubt exacerbated by recent economic conditions within the UK, seriously impacting on work/life balance (e.g. threat of redundancy or increased workload for diminished staff numbers).

Studies have long confirmed that chronically high levels of stress can result in full-blown illness such as ulcers and heart disease, or can manifest itself in feelings of anger, depression, loss of appetite or insomnia. In the U.K., with one of the highest rates of heart disease among industrialised countries, there has been extensive research on the impact of chronic job stress on people's health, including on stressors found within the work environment. British concerns led to a substantial number of promotional and educational activities in the last two decades designed to increase public and employer awareness of job stress and its impact on workers. Indeed, stress has been declared an "official hazard" at work. Regulatory and non-regulatory measures were introduced in response to what is viewed as a stress epidemic in Britain, where people work among the longest hours in Europe.

According to the [Chartered Institute of Personnel and Development](#) in 2010, just over a third of employers have seen an increase in stress-related absence over the last year, with the situation particularly marked in the public sector.<sup>1</sup> Stress at work is estimated to cost the economy £7 billion yearly in sick pay, lost productivity and National Health Service bills. It has also been reported that:

- ☞ about half a million people experience work-related stress at a level they believe is making them ill,
- ☞ one in five workers reportedly feel stressed at work,
- ☞ over 13 million working days are lost annually due to stress, and
- ☞ on average, 29 days are lost due to a stress incident.<sup>2</sup>

In its 2001-04 strategic plan, the [Health and Safety Commission](#) (HSC) identified stress as one of its priority programs aimed at reducing occupational accidents, injuries and illnesses. The strategic plan included specific targets aimed at reducing by 2010 the annual incidence of occupational stress-related illness by 20 percent and the number of working days lost from work-related stress by 30 percent.<sup>3</sup>

### ***Proactive Approach in the U.K.***

British authorities decided to take a fairly proactive approach to deal with the issues surrounding workplace stress. The first stage primarily involved a strategy of providing guidance for tackling work-

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<sup>1</sup> *National Stress Awareness Day misses the point - focus on resilience:* Cath Everett, HR Zone, Nov. 3, 2010

<sup>2</sup> *Stress becomes the No 1 complaint of British workers:* Hinsliff, Gaby, [The Observer](#), October 31, 2004; Moody, Andrew: "Stress: An official work hazard", [Mail on Sunday](#), October 27, 2004; and from the Web site of the Health and Safety Executive at <http://www.hse.gov.uk/stress/index.htm>.

<sup>3</sup> *Priority Programme – Work-related Stress (Year Three, 2003-04):* U.K. Health and Safety Commission  
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related stress. In 1995, this strategy was implemented by the [Health and Safety Executive](#) (HSE), which regulates occupational health and safety (OHS) in the UK. The initial implementation took the form of published guidance documents directed at employers, particularly small and medium-sized enterprises. This was the first time that the HSE advised employers that they had to assess the risks of occupational stress, just like those of any other workplace hazard. However, the advice was fairly limited as it simply provided general guidance on risk assessment. It did not inform employers specifically how to go about doing this assessment for stress, including how to better identify, assess and manage key stressors within their work environment.

The HSE published more specific guidance for employers in 2001, notably with its publication aimed at organizations with 50 or more employees entitled *Tackling Work-Related Stress – A Managers Guide to Improving and Maintaining Employee Health and Wellbeing*. This publication described a risk assessment approach to work-related stress, based largely on the same approach used to assess all other workplace risks. A variety of pieces of general guidance, both free and priced, were published to assist both organizations and employees in dealing with stress at work, including *Work-related stress: a short guide*<sup>4</sup> which was aimed specifically at smaller employers. In accordance with the HSE's common practice of producing information for both employers and employees, it also published *Tackling work-related stress: a guide for employees*. Aimed at employees in all industries, this leaflet explained what work-related stress is, what employees can do to help manage work-related stress in work and out of work, and what to do after a stress-related illness. A quarter of a million copies of the leaflet were issued in the first year after its release. Moreover, in one year, nearly 370,000 copies in total of these various stress publications had been distributed since their launch in 2001.

### ***Occupational Health and Safety Standards in the U.K.***

As of November 2004, U.K. employers had to follow new health and safety standards or face penalties. The standards were posted on the HSE Web site at <http://www.hse.gov.uk/stress/standards>. The HSE defines stress as “the adverse reaction people have to excessive pressure or other types of demand placed on them”. While pressure is interpreted as being part and parcel of all work and helps to keep us motivated, excessive pressure can lead to stress which undermines performance, is costly to employers and can make people ill. This definition makes an important distinction between **short-term stress** which can be a positive state if managed correctly, and **constant stress** which can be detrimental to health.

At the same time, after extensive consultations with the HSC and key stakeholders, the HSE launched *Management Standards for Work-Related Stress*, along with complementary tools intended to provide clear guidelines aimed at helping employers/employees to work together to prevent excessive work-related stress. To assess the practicality of the new standards, the HSE ran a series of prior pilot studies. By following the new rules, it was expected that employers would be in a better position to comply with OHS laws and defend themselves against possible legal action. The standards require that employers protect their staff by auditing stress levels and offering counselling. The standards' approach is also designed to further help organizations to establish priorities. Employers are to look at issues affecting the majority of employees most of the time, and to consult with employees and their representatives on developing preventative measures. The standards are not designed to tackle individuals' responses to stress, nor do they address stress arising outside the workplace.

Under the [Health and Safety at Work etc Act 1974](#) and the [Management of Health and Safety at Work \(Amendment\) Regulations 2006](#), U.K. employers over the last thirty years already had a general ‘duty of care’ to prevent employees from becoming overstressed.<sup>5</sup> Some U.K. employers simply did not

<sup>4</sup> *Work-related stress: a short guide* (2001) was available free of charge by the Health and Safety Executive.

<sup>5</sup> Under the former *Management of Health and Safety at Work Regulations 1999*, employers were required to assess the risk of stress-related ill health arising from work activities. Section 2 of the *Health and Safety at Work etc Act (1974)* stated that the broad principles of an employer's ‘duty of care’ were to ensure, as far as reasonably

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realise that since the implementation of the above regulations, all organizations with five or more employees have had a legal duty to conduct regular risk assessments of workplace hazards, including psychosocial hazards such as stress. The risk assessments are then to be used by the organization to identify and either eliminate or reduce such hazards. Where control measures do not exist, these need to be formulated and implemented as soon as practicable after the risk assessment is completed. To assist organizations with meeting these requirements, the HSC developed a specific strategy for work-related stress, based on its long-term occupational health strategy: [Securing Health Together](#). This document represented the government's 10 year occupational health strategy launched in July 2000. The strategy includes a vision aimed at tackling the high levels of work-related illness and to reduce the personal suffering, family hardship and costs to individuals, employers and society.

Under the OHS standards, employees are being asked to rate six key stress-related aspects of their working environment: demands, control, support, relationships, roles and change. Employers must achieve a specified satisfaction level for each of these elements. As part of the standards, the HSE recommends a five-step approach to risk assessment:

- Step 1: Look for the hazards.
- Step 2: Decide who might be harmed and how.
- Step 3: Evaluate the risk and decide what needs to be done.
- Step 4: Record the findings.
- Step 5: Monitor and review.

According to Carole Spiers, an Occupational Stress Consultant and Counsellor and founder of the [Carole Spiers International Group](#) which is considered a world authority on executive stress, the key considerations regarding the current legal position on stress are:<sup>6</sup>

- Every employer has a general 'duty of care' to protect its employees from foreseeable injury, and that includes pre-emptive action to prevent stress-related injury.
- Employers have a legal duty to carry out a risk assessment, the purpose of which is to identify and avoid or reduce workplace hazards that cannot be avoided, not only for physical risks but also for psychological risks.
- A written health policy is mandatory for all firms with five or more employees. This policy should include a stress and bullying and harassment policy.
- Breach of the relevant OHS regulations could lead to a criminal prosecution, and claims for compensation might also be made through the civil courts. Employers are already under a duty to consult with employee representatives about matters affecting their health and safety.

The overriding impression created by all this activity is that the HSE is very serious about stress. The authorities are determined to ensure that those organizations that have problems caused by stress take prompt action to reduce or prevent it. To facilitate this, HSE inspectors were trained to carry out inspections on stress in the same way as they would routinely inspect for other workplace hazards. However, the inspectorate proceeded slowly in recognition of the fact that many organizations visited did not initially possess all the skills required to make these types of risk assessments.

The U.K. is one of the very few jurisdictions in the [Organization for Economic Cooperation and Development](#) (OECD) willing to tackle the issue of work-related stress through a legislated process. Although other [European Union](#) (EU) countries have similar general legal provisions that require employers to act against factors considered to be psychosocial hazards, some of which can lead to work-related stress, none appear to have taken a specific regulatory and integrated enforcement approach on work-related stress itself. However, the EU and its member states have actively promoted

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possible, the health (including mental health), safety and welfare of all employees whilst at work, and to create safe and healthy working systems. This general duty of care has been interpreted to include pre-emptive action to prevent and control work-related stress.

<sup>6</sup> Web site of Carole Spiers Group, International Stress Management & Employee Wellbeing Consultancy, November 2004.

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the importance of stress management for healthy and productive workforces, and the general OHS approach places particular emphasis on prevention as opposed to reaction or treatment. The UK was the first jurisdiction to take a more regulatory and certainly a more proactive and aggressive enforcement approach. Given the emerging concerns expressed by government, industry and labour organizations over the increasing costs to employers, workers, communities and society at large resulting from stress-related injuries and illnesses, the British experience is certainly one which we all may want to monitor with great interest.

### ***Support by Employer and Employee Organizations in the U.K.***

Although leading employers' organizations in the UK such as the [Confederation of British Industry](#) (CBI) and [Institute of Directors](#) (IoD) initially reacted negatively to the new standards, they have publicly acknowledged that absence from work and stress at work typically result in negative consequences for both businesses and employees. In addition, employers have increasingly been facing claims in the civil courts for compensation associated with occupational stress-related illness or injury. The IoD consequently published "*Stress at Work Its impact on IoD members' businesses and their response*". In 2006, failure to manage stress was considered to be a serious threat to the future health of the workforce, according to almost all (97%) of 600 senior-level HR practitioners surveyed by [Personnel Today](#) and HSA healthcare benefits company. 36% of employers surveyed predicted that the health of the British workforce would decline in the next five to 10 years as a result.<sup>7</sup>

The [Trades Union Congress](#) (TUC), the U.K.'s largest labour organization, has been a major supporter of efforts to minimize the health and safety concerns surrounding workplace stress. Its Web site on [stress](#) outlines the TUC's campaign to publicize the issue, provide information and secure related data by continuously surveying workers. The TUC's "*It's About Time*" campaign also aims to put long hours and work/life balance at the top of the workplace agenda.

### ***The North American Experience***

Like Canada and the U.S., public authorities in other countries have taken a more passive route which involves concentrated efforts on raising public awareness, providing advice and general information, and carrying out research. In Canada, most jurisdictions have regulatory provisions dealing with harassment and violence in the workplace within labour legislation. None have specific legislative requirements governing the prevention of stress as a hazard within the context of the workplace. Instead, workers' compensation boards (WCB) have developed policies and guidelines to treat individual cases of stress-related illness or injury. For the large part, such policies recognize the consequences of acute (short term) stress-related cases, most often those involving post-traumatic stress disorders (PTSD). However, it is very unlikely that WCBs will readily recognize stress-related health concerns resulting from constant and longer-term exposure to stress. Most of these latter cases tend to end up being dealt with under employer disability insurance plans, through litigation or by the health care system. As a result, industry has become increasingly concerned about the issue. For example, the Global Business and Economic Roundtable on Addiction and Mental Health developed the [Business and Economic Plan for Mental Health and Productivity](#) which includes a module on a comprehensive stress policy for employers.

### ***Recommended Reading***

- ☞ [Managing the causes of work related stress – A step-by-step approach using the Management Standards](#): U.K. Health and Safety Executive
- ☞ [Working together to reduce stress at work: A guide for employees. INDG424](#): U.K. Health and Safety Executive
- ☞ [Tips for Employers on Stress](#): Partnership for Workplace Mental Health (U.S.)

<sup>7</sup> How seriously are employers taking stress? Personnel Today: 19 September 2006

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