

Health and Safety Bulletin

Mental health

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One of the major themes of the Health and Safety Executive's (HSE) new five year strategy in 2016, entitled "Helping Great Britain Work Well," is tackling ill health – it is one of the clearest signals that health is being prioritized by the enforcement agency. The statistics support their approach. In 2015, work related illness affected around 1.3 million workers and nearly 26 million working days were lost because of it. The economic costs to the UK are shocking – totaling over £9 billion per year for new cases alone.

The HSE has identified three priorities in the ill health theme:-

- work related stress – estimated to cause 45% of all work days lost due to ill health
- musculoskeletal disorders - accounting for 41% of all reported work-related ill-health cases
- occupational lung disease – leading to an estimated 12,000 deaths each year



Many organisations are taking a holistic approach to ill health by focusing on "wellness" as summarized in the health triangle. This recognises that the health of employees can be affected equally by what they do outside work, as well as what they do at work – but recognises that the effect on the employer is the same whatever the cause.

Mental health problems

The most common mental health problems in the UK are anxiety and depression – it is estimated that one in four people suffer during their life. Although the initial cause can be home or work related, there is no question that if conditions at work are creating additional pressure, then this can increase the risk that an individual will suffer a long term mental health problem.

Minimising the risk proactively

The HSE has produced Management Standards – these identify the six factors that increase the risk that workers will suffer from work related stress. The factors include demands (such as the workload – both high and low, and work patterns) or relationships (for example how well the team works together to support each other). Any organisation can use these standards to assess whether their policies and procedures are helping to reduce the likelihood that working conditions will increase the risk of any worker suffering from work related stress.

Dealing with mental health problems

Having policies and procedures in place to minimize the risk of work-related stress may reduce risk, but it does not eliminate it. It is also important to train safety leaders (e.g. managers, employee representatives etc.) to recognise the symptoms of mental health problems so they can offer support or intervene early, where the symptoms indicate this is necessary.

Many organisations have started to train Mental Health First Aiders and recently the construction industry has started to support the "Mates in Mind" programme <https://www.matesinmind.org/>.

Conclusion

The UK has been recognised for reducing work-related safety risk and there is now pressure to apply the same effort to work-related health issues, including mental health.

Recently issued health and safety information:

- Driving for work resource website <http://drivingforwork.ie/>
- Honeywell hearing protection posters <http://www.howardleight.com/hearing-protection/posters>
- Simon's story – new video about effects of asbestos exposure https://www.youtube.com/watch?v=VlyuYPrOs_p4
- Updated Waste Industry Forum website <http://www.wishforum.org.uk/>
- RR1083 - Risks to respiratory health in the grain industry <http://www.hse.gov.uk/research/rrpdf/rr1083.pdf>
- RR1084 Forklift truck reverse sensor systems assessment <http://www.hse.gov.uk/research/rrpdf/rr1084.pdf>

Recent press releases

Light curtains as a safety device

The HSE has issued a warning about the use of light curtains as safety devices on machinery following an accident.

An employee, who was putting ID labels on packs of concrete blocks, had his finger crushed when a conveyor system started up unexpectedly.

The light barriers, which were intended to prevent conveyor start up with someone in the

area, were not safety rated and were 'fooled' by the strip on the high visibility PPE worn by the employee, which reflected the beam back to the receiving sensor.

Flash back arrestors

The British Compressed Gases Association (BCGA) has issued a press release reminding employers that the use of flash back arrestors on oxy-acetylene welding equipment are mandatory under the Acetylene Safety (England and Wales and Scotland) Regulations 2014.

About Clwyd Associates...

We are a management consultancy, focusing on health and safety, and SAP based in the Midlands.

We employ consultants with at least 15 years practical experience backed up by recognised professional and academic qualifications - ensuring our clients receive first class service.



Case Law update

This issue focuses on civil cases involving mental health problems.

The claimant was a well-regarded store manager for B&Q, having worked his way up to this level through a string of promotions. In May 2010, he was diagnosed with depression. During a period of time off work, he received treatment for his condition, before a phased return in September 2010. However, the return to work was unsuccessful and the claimant was signed off work again. The claimant claimed damages for psychiatric illness and consequential loss, alleging that the depression was brought on by work-related stress caused by the negligence and/or breach of statutory duty on the part of B&Q. The claimant referred in particular to the lack of a general risk assessment by the employer. The judge decided that although B&Q was aware that he had suffered psychological harm, the claimant had returned to work and, therefore, was demonstrably fit to undertake his previous role. B&Q knew that the claimant was taking medication at this stage, but this was not sufficient to put them on notice of a relapse, as many people are able to carry out a job while taking medication.

The judge also stated a general risk assessment would not have made any difference to the outcome

Mrs Daw suffered post-natal depression and had had time off work but then returned to work. She was regarded as a high-calibre employee, with a capacity for hard work by her employer Intel. During her employment, she experienced serious problems regarding volume of work and lack of direction, conflicting and often impossible demands from management, and insufficient assistance. During six months, she complained to her manager about her work situation on at least 14 occasions and on one occasion her manager found her in tears at her desk and asked her to write down her concerns. She wrote a lengthy e-mail, which included comments such as "bureaucracy is stressing me out" and "I want out". She was promised extra support (but it did not materialise) and she was signed off work for three weeks (during this time she attempted suicide). The Court found that even though Mrs Daw's stress was not solely work related, the employer was still liable. The e-mail she sent made it foreseeable that her health would suffer and the provision of a free counselling

service by Intel did not discharge their duty of care

Ms Dickins, who was originally appointed as a Secretary, became a Management Accountant with O2. She was then promoted to Finance and Regulatory Manager requiring, among other things, the preparation of documents for quarterly external audits by OfTel. On one occasion she burst into tears at work and had to go home. When she returned to work it was agreed with her employer that preparation for external audits would be removed from her responsibility and this was duly noted in her appraisal for that year. She was again promoted (to a job for which she was not qualified) and the new role involved the audit work that she had previously found difficult. Her new manager knew she was suffering with IBS and was undergoing GP-provided counselling. After four months, she stopped attending work after a breakdown and never returned – her employment was terminated 18 months later. Ms Dickins won her negligence claim because the judge felt her line managers had failed to do anything of substance to support her and O2 had breached their duty of care



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