

Effective from April 2005

Stress Policy

1. Does the county council have a legal duty to manage stress in the workplace?

The county council has a legal duty to take reasonable care that employees are not placed at risk through excessive and sustained levels of stress arising from the way work is organised, the way that employees deal with each other or the day to day demands placed on them.

The Health and Safety At Work Act 1974 places a duty of care on the employer to ensure, so far as is reasonably practicable, the health, safety and welfare of employees.

The management of Health and Safety at Work Regulations 1999 places an obligation on the employer to assess the nature and scale of risks to health at work and implement measures to combat the risks.

There is a common law duty of care imposed on the county council to take reasonable care of its employee's physical and mental health.

2. What is the council's commitment to managing stress?

The county council believes that:

- managing stress is linked to organisational effectiveness;
- stress should not be seen as a sign of personal weakness but as something for everyone to manage;
- stress can have both work and non-work causes and in practice it can be difficult to distinguish the two;
- employees, where appropriate, should be involved in decision making and have control over their work;
- employees and managers need to be aware of their contribution to their own anxieties and those of their colleagues;
- when an employee complains of being "stressed", whether or not its causes are work related, that counselling and support should be made available; and
- reduced stress leads to better health, reduced sickness absence, increased performance, better relationships with public and colleagues, and lower staff turnover.

To help manage stress within the organisation the county council will:

- provide and maintain a free confidential counselling service for employees;
- ensure training is available for managers in all services on managing stress;

- provide advice and support to managers and employees throughout the county council on stress issues;
- identify any necessary reasonable adjustments to support the return of any employee absent with stress related ill-health and take advice from occupational health specialists as appropriate; and
- identify and develop a range of indicators to measure stress within the county council and report on them regularly through the Director of Human Resources and Organisational Development.

3. What responsibilities do managers have for managing stress?

Directors and Strategic Managers are responsible for ensuring that:

- All employees are made aware of the availability of the employee counselling service and free confidential counselling.
- All employees have regular contact with their line manager and the opportunity to raise issues.
- The training, development and support needs of all employees are regularly reviewed.
- All managers in their Service are aware of the potential causes of work related stress and the recommended approaches for dealing with it.
- Employees who raise issues of stress are treated with dignity and respect and given appropriate support.
- The Working Time Policy and Sickness Absence Procedures are followed.
- Employees are made aware of the appropriate Grievance and Harassment Procedures.

4. Recommended approach where the employee is at work

Where the employee is still at work and raises “stress” as an issue, the following approach is advocated.

- **ASK**

Discuss issues with the employee as soon as possible. Try to clarify what they are referring to, when they use the word “Stress”. Discuss privately – the issue may be personal/distressing/embarrassing. Discuss tactfully, sensitively and try to withhold your own issues.

- **DO**

Decide what you can do to address any problem presented. Is it an issue of workload, team dynamics, performance, job design, hours of work, training, communication, managerial support or skill utilisation? Adhere to what you commit yourself doing. Set a timescale for carrying out the agreed action, that is appropriate to the employee, yourself and the amount of control/authority you have.

- **REFER**

For issues that you cannot influence, or that are specifically not work related, offer the employee the services of the employee counselling service, or suggest that they see their Doctor (G.P) Refer immediately, either directly with the clear consent of the employee, or provide the relevant telephone numbers for the employee to refer themselves.

- **REPORT**

Make a confidential record of your discussions and actions.

5. Recommended approach to managing stress for absent employees

When you receive a sickness certificate which refers to stress or a related condition, the county council procedures for managing sickness absence should be followed. This procedure can be found in the HR Handbook. The following additional points are also important.

- **As soon as possible after the absence is notified**

Write to the employee setting out the support available and how to access it, e.g. counselling service or take advice from your nominated Personnel Adviser.

- **Supported Return**

When the employee returns to work you should follow the approach for employees at work. For long term sickness absence, it is likely that you will need to involve the council's Medical Adviser as set out in the Sickness Absence Procedure.

Where a programme of adjustments is agreed to support an employee through a process of staged or gradual return this must be regularly monitored to ensure that it is being followed and remains manageable for the employee.

6. Where can employees obtain help in managing stress?

Employees can gain confidential, free help in managing, either stress related issues of others or of themselves, through the employee counselling service provided by Employee Assist (Tel. 01604 626787).