

Stress in the Workplace

The HSE defines work related stress as:

'The adverse reaction people have to excessive pressures or other types of demand placed on them at work.'

If stress becomes too excessive and prolonged, mental and physical ill health may develop.

Line managers play a crucial role in supporting staff that experience distress and/or mental health problems. They are the first official contact between the employer and the individual.

Signs of stress

Excessive pressure or stress can cause changes in behaviour or performance. The kinds of change that may occur include:

- **Work performance:** declining/inconsistent performance, uncharacteristic errors, loss of motivation/commitment, lapses in memory.
- **Conflict and emotional signs:** crying, arguments, undue sensitivity, irritability/moodiness, over-reaction.
- **Aggressive behaviour:** criticism of others; bullying or harassment; temper outbursts.
- **Physical signs:** nervous stumbling speech; sweating; tiredness/lethargy - trouble sleeping; tension headaches; rapid weight gain.

Recommendations for employers:

- undertake and regularly review stress assessments and implement their recommendations
- support those experiencing stressful situations
- ensure staff have access to a confidential counselling service or helpline
- offer training and development opportunities
- maintain good communications with staff
- monitor and review workloads
- manage poor performance and attendance to prevent a burden on other staff
- ensure staff are not working excessive or unreasonable hours
- ensure that bullying and harassment are not tolerated.

Legal duties

The prevention of stress is included in the general duty of care that an employer has to his or her employees:

- Equality Act 2010
- Health and Safety at Work etc Act 1974; 'health' includes mental health
- Management of Health and Safety at Work Regulations 1999 (as amended).

Civil law; an employer owes a 'duty of care' to individual employees in the course of their employment. This is the area of law with the most important implications for work-related stress.



Work-related stress:

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Effects of work-related stress

- Staff absence and loss of productivity with a financial impact.
- Presenteeism – where staff are not well enough to work, but continue to do so. This can have an adverse impact on staff retention and recruitment, causing additional costs.
- Employer's liability insurance premiums may increase; in severe cases litigation by those experiencing the stress.

Guidelines to help employees

Take appropriate measures to control the risk of stress-related ill health arising from work activities. Six Management Standards have been identified:

- **Demand:** workload, work pattern and the work environment.
 - **Control:** what influence the individual has about the way they do their work.
 - **Support:** the encouragement, sponsorship and resources provided by the employer, line management and colleagues.
 - **Relationships:** promoting positive working to avoid conflict and dealing with unacceptable behaviour.
 - **Role:** whether employees understand their role within the organisation and whether the organisation ensures that the person does not have conflicting roles.
 - **Change:** how organisational change is managed and communicated in the organisation.
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- Ask: Do employees feel valued? Do employees trust their managers?
 - Do employees have control over the way they work?
 - Do employees feel like their wellbeing is a priority?

Case law

There have been a number of cases in the Civil Courts and still more have been settled out of Court.

An employee (a social worker) received compensation for psychiatric damage suffered as a result of work-related stress. The judge ruled that 'whereas the law on the extent of this duty has developed almost exclusively in cases involving physical injury to the employee as distinct from injury to his mental health, there is no logical reason why risk of psychiatric damage should be excluded from the scope of the duty of care'.

Cases included a council administrative assistant who fell ill with anxiety and depression – she was awarded £157,541 after a County Court judge heard in evidence that she had to work 'grossly excessive hours' [Jones v Sandwell Metropolitan District Council]. However, the Courts have held employers not to be liable when reasonable precautions have been taken and the employer could not reasonably know that the employee was particularly susceptible to stress.

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