

# OADBY & WIGSTON BOROUGH COUNCIL WORK RELATED STRESS MANAGEMENT POLICY AND PROCEDURE OCTOBER 2014

DRAFT

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# Contents

<b>PART 1: Introduction .....</b>	<b>2</b>
<b>PART 2: Scope.....</b>	<b>2</b>
<b>PART 3: Equal Opportunities .....</b>	<b>3</b>
<b>PART 4: Roles and Responsibilities.....</b>	<b>3</b>
<b>PART 5: What is Work Related Stress? .....</b>	<b>5</b>
<b>PART 6: HSE Management Standards .....</b>	<b>5</b>
<b>PART 7: Recognising Signs of Work Related Stress.....</b>	<b>6</b>
<b>PART 8: Reporting Work Related Stress .....</b>	<b>6</b>
<b>PART 9: Work Related Stress Absence .....</b>	<b>7</b>
<b>PART 10: When to Undertake a Risk Assessment.....</b>	<b>8</b>
<b>PART 11: Undertaking a Risk Assessment.....</b>	<b>8</b>
<b>PART 12: Occupational Health Referrals .....</b>	<b>10</b>
<b>PART 13: Counselling.....</b>	<b>12</b>
<b>PART 14: Personal Related Stress .....</b>	<b>12</b>
<b>PART 15: Returning to Work after a Stress Related Absence .....</b>	<b>12</b>
<b>PART 16: Confidentiality .....</b>	<b>13</b>
<b>PART 17: Abuse of the Policy .....</b>	<b>13</b>
<b>PART 18: General .....</b>	<b>13</b>
<b>PART 19: Review and Monitoring .....</b>	<b>14</b>
<b>PART 20: Note .....</b>	<b>14</b>
<b>Appendix 1 – Employee Workplace Stress Form</b>	
<b>Appendix 2 – Stress Risk Assessment</b>	
<b>Appendix 3 – Review Stress Risk Assessment plan</b>	

## PART 1: Introduction

This Work Related Stress Management Policy and Procedure assists both employees and managers for managing short and long-term stress related absence in a consistent and fair manner.

The general aim of this policy and procedure is to balance the welfare of employees with the needs of the Oadby & Wigston Borough Council (“the Council”).

The Council is committed to ensuring the health, safety and welfare of all its employees. The Council acknowledges that the health, fitness, emotional and psychological well being of its employees is paramount for the efficient and effective delivery of its service. It also recognises that employees may be at risk from work related stress and therefore the Council will take action to reduce these risks as far as possible.

The guidance contained within this policy and procedure is intended to assist with the identification of tools and mechanisms to tackle work related stress.

## PART 2: Scope

This policy and procedure incorporates all work related stress absences and applies to all employees of the Council. It does not apply to contractors or agency workers.

The employee has the right to be accompanied at all stages of the procedures defined in this policy and procedure by a Trade Union representative or workplace colleague.

This policy and procedure forms part of the Employee Handbook and is available on iTrent. It will also form part of the induction process of new employees. It does not form part of the normal terms and conditions of employment of any employee.

The Council reserves the right to change the terms of this policy and procedure from time to time in order to comply with legislative requirements or as otherwise necessary, following appropriate consultation with Trade Unions in cases of substantial variations. Trade Unions will not be consulted on minor changes to the policy, for example, font, paragraphing, grammar and appendices where it does not change the overall essence of the policies intentions.

This policy and procedure provides working guidelines and timescales to adhere to, however it is accepted that in certain circumstances these timescales can be extended with authorisation from the Head of Corporate Resources, in consultation with the employee and Trade Union representative.

HR guidance should be sought if any clarification is required

## PART 3: Equal Opportunities

The Equality Act 2010 provides the legal framework to combat unlawful discrimination and provides Public Authorities with general and specific duties relating to equality. The Council will do its utmost to uphold these duties and will always have due regard for the requirement to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act.
- Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it;
- Foster good relations between persons who share a protected characteristic and persons who do not share it.

The Council is committed to having a dignified and respectful working environment which includes and encourages all staff to develop and make progress.

This policy and procedures enhances the Council's approach to equality by ensuring openness and transparency.

## PART 4: Roles and Responsibilities

<b>Senior Management Team</b>	<ul style="list-style-type: none"><li>• Senior Management Team has a strategic responsibility to ensure that the appropriate working conditions exist to minimise stress within the work place.</li><li>• Senior Management Team will monitor attendance statistics through monthly sickness report which are provided by HR in the first week of the month.</li></ul>
<b>Head of Service</b>	<ul style="list-style-type: none"><li>• Heads of Service must ensure that Line Managers within their service area complete a risk assessment and action plan in line with this policy and procedure, when they identify work related stress.</li><li>• Highlight to Senior Management Team where there may be resource implications that could impact on stress within the work place.</li></ul>
<b>Line Managers</b>	<ul style="list-style-type: none"><li>• Undertake generic and specific risk assessments of all their areas of responsibility.</li><li>• Act upon outcomes of such risk assessments and ensure controls are put in place to monitor and review the stress indicators and signs of stress within</li></ul>

	<p>employees or groups of staff, whilst performing their duties of employment.</p> <ul style="list-style-type: none"> <li>• Regularly monitor and review patterns of absence, in line accordance the stress guidelines outlined within this policy and procedure.</li> <li>• Ensure that return to work interviews are undertaken after each episode of sickness, as these provide an opportunity for early indicators of stress to be identified and discussed.</li> </ul>
<b>Employees</b>	<ul style="list-style-type: none"> <li>• Alert their manager to any concerns or situations at work that might represent a risk of work related stress.</li> <li>• Employees must ensure they understand the content of this policy and procedure and co-operate fully with this <u>Work Related Stress Management Policy and Procedures</u>; failure to do so may affect entitlement to sick pay and/or may be deemed to be misconduct and dealt with accordingly to the <u>Disciplinary Policy and Procedure</u>.</li> <li>• If an employee is referred to Occupational Health/Counselling then they should make every effort to cooperate fully with this process.</li> <li>• Ultimately, employees are responsible for their own health and well being, utilising the range of support and advice that is available both within and outside the Council. This includes attending any scheduled appointments or training arranged by the Council to improve their health and attendance, and/or support them back to work.</li> </ul>
<b>HR (Human Resources)</b>          <b>Corporate Resources</b>	<ul style="list-style-type: none"> <li>• HR is responsible for overseeing the introduction, operation and monitoring of this policy and procedure. HR will report to Senior Management Team and Head of Service on a monthly basis on employees attendance levels against targets.</li> <li>• HR will provide advice on all matters relating to work related stress management and on individual cases.</li> <li>• Provide continuous support to managers and individuals in a changing environment to encourage referral to Occupational Health and counsellors where appropriate.</li> <li>• HR will be responsible to provide training to managers in order to manage work related stress.</li> <li>• Where assistance from HR is unavailable or not permissible a suitably trained officer from Corporate</li> </ul>

	Resources will be nominated to assist.
<b>Trade Union or workplace colleague</b>	<ul style="list-style-type: none"> <li>• All employees have the right to be accompanied at a Sickness Capability Meeting, in accordance with the Council's <u>Sickness Absence Policy and Procedure</u>.</li> <li>• Advise and support Union members in the application of this policy and procedure.</li> </ul>
<b>Occupational Health</b>	<ul style="list-style-type: none"> <li>• The Occupational Health Provider will provide support, advice and assistance in accordance with the terms of contract for services with the Council.</li> </ul>
<b>Risk Assessments</b>	<ul style="list-style-type: none"> <li>• The Health and Safety Officer should undertake appropriate risk assessments to ensure the safety and wellbeing of all employees.</li> <li>• The Health and Safety Officer is also responsible for collating and presenting data on accident and incidents at work.</li> </ul>

## PART 5: What is Work Related Stress?

The Health and Safety Executive (HSE) defines stress as the adverse reaction people have to excessive pressure or other types of demand place on them.

This makes an important distinction between pressure, which can be a positive state when managed currently, and stress, which can be detrimental to health. Such harmful stress is recognised as being a contributory factor in a wide range of diseases and conditions and it is accepted that the recognition, management and reduction of stress can have substantial benefits in improving general health and well-being.

The HSE identifies the following potential causes of workplace stress in accordance with HSE management standards, please see Part 6 of this policy and procedure for further details.

## PART 6: HSE Management Standards

The HSE management standards cover 6 key areas of work design that, if not properly managed, are associated with stress at work. These are:

- 1) Demands – this includes issues such as workloads, work patterns and work environment.

- 2) Control – how much say the employee has in the way they do their work
- 3) Support – this includes the encouragement, sponsorship and resources provided by the organisation, line management and colleagues.
- 4) Relationships – this includes promoting positive working to avoid conflict and dealing with unacceptable behaviour such as bullying and harassment.
- 5) Role – whether people understand their role within the organisation and whether the organisation ensures and they do not have conflicting roles.
- 6) Change – how organisational change (large or small) is managed and communicated in the organisation.

## PART 7: Recognising Signs of Work Related Stress

Stress can be seen first by those who work or live with that person. Stress is not confined to just team members, line managers are also prone to stress and therefore this should be recognised within the team. One of the key things to look out for is a change in an individual's normal personality and/or behaviour. Some of the common signs of stress are:

- Mood swings
- Skin problems
- Muscle tension
- Changes in sleep pattern
- Low self esteem
- Accidents
- Increased mistakes
- Aggressive behaviour
- Stomach problems
- Minor illnesses
- Anxiety
- Tiredness
- Poor concentration
- Changes in eating patterns
- Inability to manage time
- Poor memory
- Lack of motivation
- Increased absence
- Lack of communication
- Headaches
- Depression

Please note: this list is not exhaustive.

## PART 8: Reporting Stress

Employees should inform their line manager promptly, by completing **Appendix 1**, when they feel that they are not coping.

Line managers should consider reports of stress seriously, in confidence and put aside time to fully explore the possible reasons by undertaking a risk assessment, please see Part 10 of this policy and procedure for further details. Alternatively the employee can forward on the completed form to the HR team, particularly where

they feel their stress is caused by their work environment or where the work conditions are a contributing factor.

If an employee recognises any symptoms mentioned in Part 7 of this policy and procedure in reference to other colleagues then they must contact their line manager, as soon as possible and report the same.

## PART 9: Work Related Stress Absence

If an employee is absent due to work related stress they will need to comply with the reporting procedures set out in Part 14 of the Sickness Absence Policy and Procedure. Upon notification of a GP's fit note which stipulates work related stress, the line manager will liaise with HR to arrange a sickness review meeting. HR will then write to the employee to confirm the date, time and location of the meeting. HR representation will always be present at the sickness review meeting. The employee will have the right to be accompanied by a Trade Union representative or a workplace colleague.

When the absence is related to work related stress a sickness review meeting must take place within 5 days of receiving the GP's fit note.

The line manager at the work related sickness review meeting will discuss the causes for stress, the employee and line manager will then conclude together whether the stress is related to the employees personal life or that it is work related stress or a mixture of both.

If the stress is related to the employees personal life than an Occupational Health referral is not required however welfare support and assistance may be provided, if appropriate and required.

Alternatively, where the stress is identified as being work related, a referral will be made to Occupational Health at the earliest opportunity. Please see Part 12 of this policy and procedure for further details

Line managers must ensure communication is maintained formally, ordinarily on a weekly basis and sickness review meetings are repeated throughout the period of absence. Ordinarily sickness review meetings will be held monthly however dependent on the circumstances, the frequency of the sickness review meetings may increase.

It is generally considered that such meetings will take place at the Council Offices however the employee can request that such meetings to take place at their home address or at another mutually agreeable location.



The employee will have the right to be accompanied by a Trade Union representative or a workplace colleague. The purpose of these sickness review meetings are to ensure appropriate management support is provided, Occupational Health advice is sought and an action plan is agreed to facilitate an early return to work.

Upon receipt of the Occupational Health report a sickness review meeting should be arranged with the employee. This meeting is arranged to discuss the report provided by Occupational Health.

If the Occupational Health report stipulates that the employee may be fit to return to work with recommendations to refer to a stress counsellor, then HR will refer the employee on to an approved third party counsellor. Please see Part 13 of this policy and procedure for further details.

## PART 10: When to Undertake a Risk Assessment

Risk assessments should be carried out under the following circumstances:

- 1) When an employee reports they are stressed due to work by completing **Appendix 1**.
- 2) When a colleague or line manager recognises signs of stress through general conversations, meetings, 121 and/or annual appraisals.
- 3) When the line manager receives a fit note from the employees GP which stipulates work related stress.

The Stress Risk Assessment will be carried out by the line manager and must be documented on **Appendix 1**. In the absence of the employees line manager or where it is not appropriate for the line manager to carry out the Stress Risk Assessment, it will be undertaken by an alternative, appropriate line manager or by the employee's Head of Service.

## PART 11: Undertaking a Risk Assessment

The purpose of carrying out a risk assessment is to identify if there are any issues and to identify whether existing control measures for preventing harm are sufficient or if more control measures should be implemented.

### The Risk Assessment Process

#### **Before you start**

Prior to embarking on the risk assessment process, it is necessary to communicate with employees the intended plan of action. Line managers should also consider

involving staff as much as possible, bearing in mind the nature of the risks being assessed.

## 1) Identifying the hazards/risk

The HSE management standards cover six key areas of work design that, if not properly managed, are associated with stress at work. These are mentioned on Part 6.

As stress is a complex issue it is advisable not to rely just on one measure of work related stress but use data from several sources to formulate an overall picture.

Please refer to **Appendix 2** for the Workplace Stress Risk Assessment.

## 2. Evaluating the risk and formulate action plans

The Stress Risk Assessment Form must be scored. Line managers must calculate the scores for each factor itself as well as a total score for all factors combined.

### Demands

<12	No further action
>13	Agreed actions required

### Controls

<18	No further action
> 19	Agreed actions required

### Support

<18	No further action
>19	Agreed actions required

### Relationships

<15	No further action
>16	Agreed actions required

### Role

<12	No further action
>13	Agreed actions required

### Change

<15	No further action
>16	Agreed actions required

No further action – The Stress Risk Assessment has identified that the employee is satisfied with this factor and no further actions are currently required.

Agreed actions required – The Stress Risk Assessment recognises that this factor may be a hazard to the employee even where work related stress is not recorded. In this case please agree on actions that address the areas within the factor in question. You must record the content of the actions on **Appendix 2**.

## Total score

<90	No further action
>91	Occupational Health Referral

No further action - the Stress Risk Assessment has identified that the employee is satisfied with all factors and no further actions are currently required.

Occupational Health Referral – please see Part 11 of this policy and procedure for further details

### 3. Monitor and Review the assessment

The Stress Risk Assessment should be reviewed on an ongoing basis, ordinarily through normal line management practices. Where appropriate, formal review dates may be built in. Please use **Appendix 3** to review the action plan.

## PART 12: Occupational Health Referrals

Employees will be referred to Occupational Health if:

- The overall score from the Stress Risk assessment is over 91 and where the fit note may not stipulate work related stress.
- Upon receiving a fit note which stipulates work related stress.

The referral to Occupational Health will be made by HR. HR will provide a summary of the employees' previous sickness records, any file notes which are relevant from absence review meetings or stress risk assessments will be attached as well as specific reasons for referral and clear questions. The employees' current job description will also be included with the referral. It is important that questions are clear to ensure the subsequent Occupational Health report answers them specifically.

Once a referral has been made to Occupational Health, HR will write to the employee to confirm the date, time and location of the referral along with an Occupational Health information leaflet and notification will also be sent to the employee's line manager.

Employees are required to attend Occupational Health appointments in person. If they are unable to attend on the date given they must inform HR immediately and another day will be arranged.

If the employee is under the care of their GP or another Health Consultant or Specialist, they should have any medical reports to hand during their Occupational Health appointment so that they can discuss the content with Occupational Health.

The content of the Occupational Health report will depend upon the nature of the stress and the questions that have been asked at the referral. The Occupational Health report will focus on the effects of the stress problem(s) on work and will assist the Council on a return to work strategy.

The outcomes may include:

- The employee is fit to return to work. In this case no further action is required beyond the continued monitoring of the situation as necessary.
- The employee may return to work on a phased return. Consideration may be given to any reasonable adjustments including temporary restrictions of hours/duties in order to facilitate a return to work.
- The employee is unfit to return to their substantive post. In this case provided that a vacant position exists that matches the skills set of the employee, then consideration may be given to redeployment, in the line with the Organisational Change Policy and Procedure and the needs of the business.
- The employee requires additional training and support to carry out their role.

If the Occupational Health report stipulates that the employee may be fit to return to work with recommendations to refer to a stress counsellor, then HR will refer the employee on to an approved third party counsellor. Please see Part 13 of this policy and procedure for further details

The employee can request to have sight of the Occupational Health report first before it is sent to HR. If an employee attempts to thwart the release of the report this will lead to disciplinary proceedings and such unwillingness and non co-operation could result in dismissal. Once HR is in receipt of the Occupational Health report, a meeting will be arranged in order for the line manager and a HR representative to discuss the report with the employee to determine and agree a course of action, where appropriate. HR will then confirm the outcome of the meeting in writing to the employee.

Failure to attend an Occupational Health appointment without reasonable explanation and / or refusal to release an Occupational Health report to the Council will result in occupational sick pay being stopped and action being considered under the Disciplinary Policy and Procedure, as aforementioned, as this will not be conducive to the duty of fulfilling terms and conditions of employment.

Please note that where there is a positive recommendation from Occupational Health for return to work and this is not supported or endorsed by the GP then medical reports will be sought from the GP (by the employee signing a consent form) and an expert opinion may be sought. Once again, if the employee does not co-

operate or is unwilling to sign the consent form, the matter will be considered under the Organisational Change Policy and Procedure.

## PART 13: Counselling

If the Occupational Health report stipulates that the employee may be fit to return to work or continue within their existing role with recommendations to refer to a stress counsellor, then HR will refer the employee on to an approved third party counsellor.

Once a referral has been made for counselling, HR will write to the employee to confirm the date, time and location of the initial meeting and notification will also be sent to the employees line manager.

The frequency and length of counselling will be determined once the counsellor has assessed the employees circumstances at the initial meeting. Please note that the counsellor can extend or decrease the counselling sessions at any time dependent on the employees circumstances.

Please note that where there is a positive recommendation from Occupational Health or the Counsellor for return to work and this is not supported or endorsed by the employees GP, then the employee will be required to sign a consent form authorising the release of medical records. This information will be provided to an independent medical expert who will provide an assessment of the employee and provide a report to the Council on the health and well being of the employee with recommendations on a return to work strategy, wherever appropriate

## PART 14: Personal Related Stress

If the stress is related to the employees' personal circumstance then an Occupational Health referral is not required however welfare support and assistance may be provided, if appropriate and required.

Where it is possible and relevant, employees will be sign posted to the appropriate agencies. Further guidance can be sought from HR.

## PART 15: Returning to Work after a Stress Related Absence

Prior to the day of return, the employee must advise their line manager of their return to work date. When returning from long term sickness absence the employee should, where possible, give at least one weeks' notice in order that any special arrangements or reasonable adjustments can be made.

The return to work interview must take place after each period of absence and on the same day the employee returns to work, regardless of the duration of absence.

The interview should be undertaken by the employees line manager but, if this is not practicable (e.g. where the line manager is on pre-booked annual leave or other absenteeism ), it should be delegated to an appropriate available Manager. The return to work discussion must be recorded by the line manager on iTrent.

The return to work interview should be performed in a suitable private environment with full consideration given to confidentiality.

The line manager should ensure that the employee understands that the purpose of the return to work interview is to encourage future attendance through appropriate support and assistance.

The return to work interview should neither be an inquisition nor a medical cross examination, but the interview should allow the person to give an account of the reason of absence and questions may be asked about the medical condition to consider for example, whether any additional reasonable adjustments are required.

## PART 16: Confidentiality

At all stages of the stress management process, both the Council and the employee must ensure the confidentiality of events and discussions. This does not include sharing such confidence when seeking advice either from a Trade Union or from HR.

Any unreasonable breach of confidentiality may be treated as a disciplinary offence, requiring investigation in accordance with the Disciplinary Policy and Procedure.

## PART 17: Abuse of the Policy

In cases where abuse of this policy and procedure is suspected, which may include failure to report sickness absence at the appropriate time; non-attendance at an Occupational Health appointment without reasonable cause; unwillingness to co-operate with Occupational Health, or failure to provide access to medical records and / or with hold consent to the release of the occupational health report, failure to submit a GP's fit note at the appropriate time; submission of forged or false fit notes; deliberate conduct prejudicial to the employees own recovery; or due to the employees misconduct or neglect, then sick pay may be suspended and/or may also lead to a disciplinary action, under the Disciplinary Policy and Procedure, where dismissal may occur.

## PART 18: General

Sample letters and assistance with letters sent to employees as a result of this procedure will be available from HR on request.

## PART 19: Review and Monitoring

This policy and procedure will be reviewed jointly by Trade Unions (on behalf of the employees) and management team on a biennial basis.

In the case of the appendices being changed following training, the Head of Corporate Resources shall have delegated authority to make such updated changes, without Trade Union consultation.

## PART 20: Note

For the purpose of this policy and procedure where assistance from HR is unavailable or not permissible a substitute from Corporate Resources will be nominated to assist.

At all times those who have access to email facilities will receive all communication under this policy and procedure marked "Private and Confidential" through this means.

For those employees who do not have access to email facilities or who are absent from work through sickness or otherwise, communication under this policy and procedure, marked "Private and Confidential" will be delivered by hand or by first class post.

Where guidelines have been given in this policy and procedure to take an action within a number of working days, these should be adhered to by both the employee and the Council. However, where occasionally it may be necessary to depart from this or extend timelines, approval should be sought from the Head of Corporate Resources. It is not anticipated that a departure from the timelines set out in this policy and procedure will be granted for any reason other than sickness or other exceptional or unanticipated occurrence that would otherwise render the process unfair. In all cases a written record shall be kept by HR of such requests and responses.

## Appendix 1 – Employee Workplace Stress

### EMPLOYEE WORKPLACE STRESS

This form is designed to enable you to inform your line manager of current work related stress concerns and request further support and guidance to tackle the causes of your work-related stress.

<b>Name of employee:</b>	
<b>Employee's job title:</b>	
<b>Employee's service area / team:</b>	
<b>Employee's Line Manager:</b>	
<b>Date:</b>	
<b>Please explain your current concerns:</b>	
<b>Have you made any attempts to address these concerns yourself? If so please describe what actions you have taken</b>	
<b>Have you got any suggestions of what your line manager can do to reduce your work place stress?</b>	
<b>Employee's signature:</b>	<b>Date:</b>

## Appendix 2 - Stress Risk Assessment Form



Comments:						
Factor	Hazard	1	2	3	4	5
Demands	All staff are provided with adequate and achievable demands in relation to the agreed hours of work;					
	Staff skills and abilities are matched to the job demands;					
	The job(s) are designed to be within staffs capabilities;					
	Staff concerns about their work environment are addressed.					
	<i>Managing conflict situations, Lone working, Unrealistic work targets, Workload too great, Tight deadlines, Difficulty taking regular breaks, No opportunity to delegate, Long working hours</i>	Score				
Control	Where possible, staff have control over their pace of work;					
	Staff are encouraged to use their skills and initiative to do their work;					
	Where possible, staff are encouraged to develop new skills to help them undertake new and challenging pieces of work;					
	The organisation encourages its staff to develop their skills.					
<b>Agreed actions to prevent hazards:</b>						
	Staff are consulted over their work patterns;					
	<i>Unable to exert control over demands made, Unable to participate in the decision making process, Job changes take place without consultation,</i>	Score				
Support	The organisation has policies and procedures to adequately support its staff;					
	Systems are in place to enable and encourage managers to support their staff;					
	Systems are in place to enable and encourage staff to support their colleagues;					
	All staff know what support is available and how and when to access it;					
	All staff know how to access the required resources to do their job;					
	All staff receive regular and constructive feedback					
	<i>Lack of administrative support, Lack of management support, No regular breaks/long working hours</i>	Score				
Relationships	The organisation promotes positive behaviours at work to avoid conflict and ensure fairness;					
	All staff share information relevant to their work;					
	The organisation has agreed policies and procedures to prevent or resolve unacceptable behaviour;					
	Systems are in place to enable and encourage managers to deal with unacceptable behaviour;					
	Systems are in place to enable and encourage staff to report unacceptable behaviour.					
	<i>Bullying/harassment from others, Heavy emotional demands, Feeling undervalued, Poor communication – vertical/horizontal</i>	Score				
	The organisation ensures that, as far as possible, the different requirements it places upon staff are compatible;					
Employee's Signature:	Employee understands their role and responsibilities	Date:				
Role	Systems are in place to enable staff to raise concerns about any uncertainties or conflicts they have in their role and responsibilities.					
	<i>Job responsibilities heavy and demanding, Unclear job description, Conflicting demands, Lack of participation in decision making process, Lack of promotion and career development</i>	Score				
Change	The organisation provides employees with timely information to enable its staff understand the reasons for proposed changes;					
	The organisation ensures there is adequate staff consultation on changes and provides opportunities for staff to influence proposals;					
	All staff are aware of the probable impact of any changes to their job. If required, training is given to support any changes to your job;					
	All staff are aware of timetables for changes;					
	All staff have access to relevant support during changes.					
	<i>Pace and intensity of change, Uncertainty about work as the result of change in the work place, Impact of restructuring on workload and job responsibilities, Changes without consultation</i>	Score				
Total						

**Appendix 3 – Action Plan Review Form**

<b>Name of employee:</b>		
<b>Employee's job title:</b>		
<b>Employee's service area / team:</b>		
<b>Employee's Line Manager:</b>		
<b>Review Number:</b>	<b>Review Date:</b>	
<b>Agreed actions to prevent hazard:</b>		<b>Progress on actions:</b>
1)		
2)		
3)		
4)		
5)		
<b>Details of any additional support or resources required:</b>		

**Comments (Line Manager):**

**Comments (Employee):**

<b>Further Review Required:</b>	<b>Yes/No</b>	<b>Next Review Date:</b>	
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<b>Line Manager's signature:</b>	<b>Date:</b>
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<b>Employee's signature:</b>	<b>Date:</b>
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