

# Safety in numbers

UNISON's health and safety newsletter

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## UNISON wins compensation for assaulted care worker

A care worker who was attacked five times by a teenager who should have been placed in a secure unit has received compensation after her injuries left her being unable to work. The woman was first attacked by the youth at a residential children's home in West Bromwich in August 2008.

The teenager, who had a history of violence and sexually inappropriate behaviour, hit her so hard with a chair that she has a permanent dent in her left leg. Despite the attack, Sandwell council didn't put measures in place to avoid another incident. Over the course of the next five months, our member was attacked on another four occasions. This included threatening to cut her throat with a jagged piece of Perspex and punching her twice in the arm.

He was not moved to a secure unit until April 2009, three months after the final assault. By this time, the member was off work. Her injuries became progressively worse and she is now unable to return to work as a carer and fears that her injured shoulder means she will not find another job.

The carer of nine years contacted UNISON for advice. The union's legal firm, Thompsons Solicitors, argued that the youth should have been placed in a secure unit as soon as his violent behaviour was identified and as a result should never have been housed in the children's home.

Sandwell council admitted liability and settled the claim out of court.

The UNISON member said: "After I reported the first incident, I thought my bosses would have this youth transferred to a secure unit which would be able to provide the correct type of care for him in a safe environment. But nothing changed and he kept on attacking me.

"It was extremely frightening going into work not knowing what he would do next and wondering how far he would take things."

UNISON West Midlands regional secretary Ravi Subramanian added: "This young person had been identified as 'high risk' before being placed at the care home, yet nothing was done to prevent these assaults from happening. "It is shocking that our member was attacked five times and left badly traumatised and injured, before the youth was moved to a more appropriate secure unit. By this point, it was too late for our member whose career had already been destroyed. She has been badly let down by her employer."

John Mullen from Thompsons Solicitors said: "Too often those working in caring and health environments are put in situations which make them vulnerable to assault.

"Employers have a duty of care to their staff and must take all reasonable steps to protect them from assaults at

work. It is astonishing that this council allowed a series of attacks to take place before taking any action."

Representation following injury or illness through work is a good reason why every worker should join a trade union. Furthermore, UNISON is committed to tackling the issue of violence at work. We don't believe that it is part of the job and we are continuing to campaign to make employers comply with their legal obligations to ensure the safety of their staff.

Pressure from UNISON resulted in a clause inserted into the Code for Crown Prosecutors (for England & Wales) stating that a prosecution is likely to be in the public interest if the offence was committed against a person serving the public. In Scotland, it resulted in the introduction of the Emergency Workers (Scotland) Act.

To find out more about what UNISON is doing to prevent violent attacks in the workplace see the UNISON Guide It's not part of the job (stock no 1346). This is available on the UNISON website. Alternatively, speak to your local UNISON safety rep or steward.



Ravi Subramanian

# Remember, there's safety in numbers

The Health and Safety Executive (HSE) says that workers who are encouraged to have a voice and are given the ability to influence health and safety are safer and healthier than those who do not. UNISON provides staff with a voice and enables them to influence decisions made by their employer.

For example, a work-stress survey conducted by UNISON City of Glasgow branch using the HSE Stress Management Standards found that 23% of respondents were always, often or sometimes bullied.

The survey was prompted after

concerns were raised by UNISON members over the impact spending cuts are having on workloads and workplace pressures.

The branch's health and safety officer, Scott Donohoe said: "We had a 96% response rate, which was excellent. Unfortunately, a lot of the members' responses were in the red, meaning that work-stress was a big issue and that urgent action was required.

"After presenting our findings to the employer, we agreed that a couple of focus groups, consisting of employees, members and safety reps,

would be set up to discuss the results of the survey and identify stressors. As a result of the focus groups, the employer completed a risk assessment and produced a work-stress action plan to implement necessary 'prevent and control' measures."

It's proof that together we are stronger; there really is safety in numbers. If you believe that everyone should be able to work without having their health damaged by their job, join us in UNISON today at [joinunison.org](http://joinunison.org).

To find out what UNISON is doing to persuade employers to manage and prevent stress see our guide *Stress at work* (Stock no 1725). This is available on the UNISON website. Alternatively, speak to your local UNISON safety rep or steward.

## Government's attack on health and safety disproportionately affects women

1.1 million people are currently suffering from a work-related illness. 52% of those with an illness caused or made worse by work are women. Half of women's work-related illnesses were caused by stress, depression or anxiety and over one-third were as a result of musculoskeletal disorders (aches and pains in joints and soft tissue), which are two of the biggest reasons for long term sickness absence in the UK.

Despite these facts, the government believes that health and safety regulation is a "burden on business" and has vowed to "kill off the health and safety culture for good". As a result, the government has stopped health and safety inspections in workplaces they have designated 'low risk'.

This will affect women disproportionately because female employment is often concentrated in industries or sectors which are now designated 'low risk', such as education and social care. In addition, the most common types of ill health in so called 'low-risk' workplaces are musculoskeletal disorders and work-related stress, which account for the

majority of the work-related illnesses suffered by women.

Because there will no longer be proactive health and safety inspections in the majority of workplaces where women work, the role of the safety rep is more important now than ever in identifying health and safety abuses that would have otherwise been overlooked and ensuring that employers comply with their duty to prevent risks at work.



UNISON recognises that everyone has an equal right to protection from harm at work, but that doesn't mean treating everyone as if they are the same. The jobs that women and men do, their working conditions and how they are treated are not always the same. This will affect the hazards they face at work and the approach that needs to be taken to assess and control them.

UNISON believes that women's health and safety requirements are often overlooked, particularly in those areas of work that have in the past been dominated by men. That is why recruiting more women safety reps is so important.

If you enjoy talking to and helping people why not become a UNISON safety rep. You don't need to be an expert because UNISON provides training and support, and you get paid time-off work to carry out the role.

For further information about the role speak to your branch health and safety officer or branch secretary. If you want to find out more about women's health and safety see the UNISON guides:

- Gender, safety and health (stock no 1982)
- The menopause and work (stock no 3075).

These are available on the UNISON website. Alternatively speak to your local UNISON safety rep or steward.



# Probation service worker compensated after fall causes severe back pain

A Norfolk and Suffolk Probation Trust worker who was badly injured when she fell at work and seven metal wheelbarrows came down on top of her, has received £45,000 in compensation.

She was working as a community payback supervisor for Norfolk Probation Service supervising offenders working in the community, when her foot became tangled as she returned tools to the store. She fell and the stack of wheelbarrows fell onto her neck and shoulder causing a trapped nerve.

At first she suffered pain and discomfort which she thought would go away but instead it got worse. She received intensive physiotherapy, acupuncture, treatment to her spine and injections for the pain and still has to take painkillers every day.

Glyn Hawker from UNISON said: "Employers have a duty to keep workplaces free from hazards and very simple measures could have been taken by the probation service to keep the tool store tidy."

Samantha Vallis from Thompsons Solicitors said: "We hear a lot these days about health and safety being a burden on business. But this employer's disregard for health and safety has meant that the real burden is on its injured employee." Health and safety is not 'red tape' or a burden on business

In 2011, a survey conducted by the Institution of Occupational Safety and Health (IOSH) found that health and safety can be used as a driver for growth, given that protecting workers saves money. Work-related accidents and ill health costs businesses nearly £8 billion a year through absenteeism, low productivity and legal bills. The research found the overall cost of health and safety failures to the public purse, including welfare and health bills, is estimated at £22 billion.

What we are likely to see as a result of the government's attack on health and safety is an increase in accidents

and injuries at work, leading to greater human costs, increased costs to business and increased costs to the NHS.

If you believe that everyone should be able to work without having their health damaged by their job, join UNISON in fighting against the government's attack on health and safety inspections and legislation.

UNISON is asking you to:

- join us at [joinunison.org](http://joinunison.org) if you work in public services or for private companies providing public services
- become a UNISON safety rep if you are a UNISON member because having a well-trained safety rep can halve the risk of accidents at work.

“We hear a lot these days about health and safety being a burden on business. But this employer's disregard for health and safety has meant that the real burden is on its injured employee.”

Glyn Hawker





Karen Jennings

## Bangladesh: a terrible reminder why we must fight for the living

On 28 April, events were held by UNISON and other trade unions to mark International Workers' Memorial Day. The purpose behind the day has always been to remember those that have been killed or injured through work, and to ensure that such tragedies are not repeated by fighting for the living.

This year, scenes from Bangladesh, where over 1,100 garment workers died in an unsafe working environment, brought into sharp relief why International Workers' Memorial Day is such an important event in our calendar.

Karen Jennings, UNISON assistant general secretary said: "The tragic loss of life and injuries in the collapsed building in Bangladesh is a terrible reminder of the constant need to fight for strong health and safety regulations at work.

"Health and safety stands accused of being a burden on employers by the ConDem government, but we know that the true burden falls on the workers. Budgets for health and safety enforcement have been slashed, fewer injuries to staff have to be reported by employers, unannounced inspections of so called 'low-risk' workplaces have been stopped and there are ongoing attempts to make it more difficult

for people who have been injured at work to win compensation. We must be vigilant – now is not the time to water down safety standards that help to save lives and reduce injuries in the workplace."

### What needs to happen?

We need to see government action that will protect the health, safety and well-being of people at work. We want to see:

- 1 More workplace inspections and resources for the HSE and local authorities to ensure adequate enforcement of health and safety laws.
- 2 Full recognition and enforcement of existing safety reps' rights and the establishment of additional consultative and representative rights, to strengthen health and safety at work.

- 3 Strong regulation aimed at preventing stress, musculoskeletal disorders, bullying and violence and a greater emphasis on occupational health measures.
- 4 Legally binding dust standards.
- 5 Removal of carcinogens (substances that cause cancer).
- 6 Legal maximum temperature at work.
- 7 Increased protection for vulnerable (e.g. migrant) workers.
- 8 Additional legislative measures to make company directors comply with health and safety law, and a just and effective system of civil and state compensation which maintains workers' standard of living and addresses the burden of all illnesses caused by work.
- 9 Health and safety to be a significant factor in the awarding of all public sector contracts.
- 10 Enforcement of all health and safety International Labour Organisation (ILO) conventions and European legislation.

### What can you do?

- Talk to your friends, family, co-workers and neighbours about these issues.
- Raise your concerns with your employer, local media, and political candidates.
- Take the campaign to workplace or community meetings – or organise your own – we can help with materials and speakers.
- Become a UNISON safety rep – evidence shows the presence of a well trained safety rep can halve the risk of accidents at work.

### Three simple ways to join UNISON today:



Join online at  
[joinunison.org](https://joinunison.org)



Call us on  
**0800 171 2193**



Ask your UNISON rep  
for an application form