



Snooping at work is an unhealthy intrusion

Unions, human resource experts and employers' bodies have said that snooping on staff is an unwelcome and sometimes unhealthy intrusion.

The organisations were speaking out after Europe's top court ruled a Romanian man whose employer read his messages had not had his rights violated. He broke company policy by using a work account to communicate with his family.

Commenting on the European Court of Human Rights ruling, TUC general secretary Frances O'Grady said: "People should have a right to privacy in the workplace. Big Brother bosses do not get the best out of employees. Staff who are being snooped on are less productive and less healthy." She added: "It is essential that employers have clear policies on internet use so that people are not caught out. British workers put in billions worth of unpaid overtime every year. They shouldn't be punished for occasionally checking private emails and going on social media." Institute of Directors (IoD) director general Simon Walker said: "Employees should not be subject to Stasi-style surveillance at work. We would strongly urge businesses not to read an employee's personal messages, apart from in the most exceptional circumstances." And the Chartered Institute of Personnel and Development (CIPD) said: "Employees that feel under excessive surveillance are also more likely to suffer from stress, so there needs to be a clear case for monitoring." Reports from the International Labour Organisation, the Institute for Employment Rights and Hazards magazine have all warned about the adverse health effects of snooping on workers.

Supplied by the TUC

Unhealthy workplace trend confirmed by reports

Two new reports have confirmed an upward trend in work-related ill-health under the Conservatives.

A Hazards magazine analysis of official Health and Safety Executive (HSE) figures has revealed that since the Conservatives defeated Labour in 2010/11, self-reported work-related illness has increased by 7 per cent, up from 1.16m cases to 1.24m in 2014/15.

A report in the latest issue of the magazine notes that for stress and musculoskeletal disorders, which make up 80 per cent of the work-related total, long-term and new cases are both up. The musculoskeletal disorders figure in 2010/11 was 515,000. By 2014/15, it was 553,000 – up 7.3 per cent.

For stress, anxiety and depression, cases were up from 402,000 to 440,000, an increase of 9.4 per cent. It is an effect confirmed for England in the latest preliminary Marmot indicators from the Department of Health-supported Institute for Health Equity.

Continued on next page.

Report slams 'well-being vacuum' at work

Despite increased business awareness of the importance of actively supporting health and well-being in the workplace, there remains a stubborn 'implementation gap' in UK workplaces, human resources body CIPD has said. Its new report, 'Growing the health and well-being agenda: From first steps to full potential', states that fewer than one in ten (8 per cent) of UK organisations currently have a standalone well-being strategy that supports the wider organisational strategy. It adds almost two-fifths of employees (38 per cent) are under excessive pressure at work at least once a week and 43 per cent say that long hours working, to a greater or less extent, is the norm for their organisation. Well-being is taken into account in business decisions only a little, or not at all, in the majority (57 per cent) of cases.

CIPD president Sir Professor Cary Cooper said: "A workforce that is well works well, but we're still seeing far too many people doing more work than they can cope with, working long or unsociable hours, suffering from technology overload and unable to switch off. Organisations need to take better care of their people and recognise how the demands of work can affect their physical and mental health, as well as their ability to perform well at work."

Commenting on the new report, TUC head of safety Hugh Robertson said: "We welcome anything that recognises the need to promote and protect the well-being of workers and the TUC has just published a guide to it. All the evidence is that the biggest changes can be made by ensuring that people are not made ill in the first place, and that includes by tackling stress in the workplace."

Bad employers sometimes pay

While employment tribunal fees have drastically reduced the number of cases and typical awards for claimants are generally four-figure sums, tribunal decisions still occasionally cost employers dear.

A round up six-figure employment tribunal awards in 2015 compiled by human resources magazine Personnel Today shows that far more substantial settlements can occur – and discrimination against sick workers was behind almost half of these bigger payouts. In *Turner v DHL Services Ltd* and another, the claimant was awarded £257,127 over his employer's lack of support when he went off sick as a result of work-related stress. In a second case, *Marcelin v Hewlett Packard Ltd*, a claimant who was disciplined for, among other things, his refusal to consent to the release of a medical report was awarded £239,913 for disability discrimination.

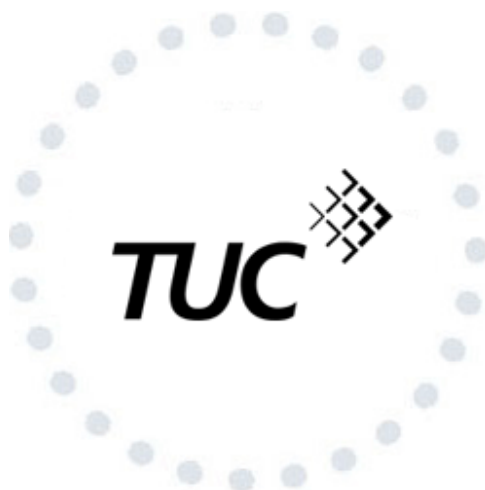
In another case, *O'Sullivan v London Underground Ltd*, a deceased London Underground worker was awarded £223,869 for disability discrimination.

In the event of a successful claimant's death, the tribunal award goes to the claimant's estate. In *A v S*, an employee with chronic fatigue syndrome (ME) was able to show that the way in which a move to a new role and her subsequent absences were handled was discriminatory. Her compensation totaled £192,656. In *Waddingham v NHS Business Services Authority*, the employment tribunal held that an NHS trust committed disability discrimination against an employee having cancer treatment who was required to undergo a competitive interview process during a redeployment exercise. The employee was awarded £115,056.

...These note: "The positive downward trend for work-related illness seen between 2009/10 and 2011/12 for England reversed in 2013/14, when 4,000 people per 100,000 (4 per cent of workers) employed reported a work-related illness, up from 3,640 in 2011/12."

Announcing the findings, IHE director Professor Sir Michael Marmot noted: "We know poor conditions at work, such as long or insufficient hours, low pay, low control over tasks and insecure contracts can lead to increased risks of poor physical and mental ill health... our findings suggest that there is more that local employers and government can do to encourage, incentivise and enforce good quality work to support good health. Poor quality jobs will cost the health service more in the long run."

Hazards magazine, criticising a decline in official inspections and enforcement action, noted: "The economic downturn put many of us under the cosh at work, with job pressure up and job security down. We needed a regulator to defend us. We didn't get one." In the same issue of Hazards, the TUC warned that the focus from employers was frequently "not on keeping workers safe, but instead trying to encourage them to look after their own health by encouraging them to eat well and exercise."



New staff being recruited in Benefit Services

This article gives details of a recruitment exercise in Benefit Services Directorate (BSD).

Over the next few weeks Benefit Services Directorate will begin running an external recruitment campaign covering a mixture of AO and EO roles as set out in the chart below. These roles include –

- AO Contact Centre Agents
- AO Benefit Case Workers/Telephony Agents
- EO Work Capability Assessment Managers in Benefit Centres
- EO Case Managers/Team Leaders in Disability Operations

		Grade	Total	Site & Breakdown
Disability	PIP	EO	400	Telford 32
				Warbreck House - Blackpool 253
				Leeds Road - Bradford 10
				Flowers Hill - Bristol 10
				Gabalfa - Cardiff 10
				Graeme House - Chorlton 10
				Atlantic Quay - Glasgow 15
				Newport 10
				Wear View House - Sunderland 50
Working Age	ESA DM	AO	30	Plymouth 20
				Southend 10
Working Age	ESA DM	EO	120	Plymouth 20
				Barnsley 20
				Stockton 15
				Walsall 20
				Southend 12
				Stratford 10
				Hackney (BC or JC) 23
Working Age	Telephony	AO	150	Paisley 24
				Sheffield 30
				Bridgend 24
				Bristol 12
				Stockport 12
				Bootle 12
				Blackburn 12
				Southend 24
BSD			700	

The following details have been supplied by the PCS DWP Group:

BSD Update



On 26th January 2015, PCS negotiators met with BSD senior managers. This circular updates members on several key issues discussed.

Promotion issues

As in Pensions & UC, BSD members successful on promotion have been told there will be a delay in them taking up posts elsewhere.

We argued for them to pay the higher grade rate of pay to BSD staff from the date that their posting was available, rather than from when they could be released. They said that this was being considered at operations level, but that it was unlikely that this would be agreed. This is disappointing, since the failure is entirely down to management's inability to plan properly for the impact of promotion on the rest of the business.

PCS has escalated this to Operations level. The GEC will continue to pursue a solution which involves no detriment to those promoted, and the earliest release possible, whilst protecting services and limiting the pressure on other BSD staff.

PCS gets BSD FTAs permanent jobs

PCS has continued to argue for full staffing levels, permanent recruitment and for the conversion of existing FTA staff to permanent contracts. We have already been successful with this in other parts of Operations. Now BSD have confirmed that they will be offering all their FTA staff a permanent contract, with the exception of those FTA staff recruited after 1 September 2015 delivering PIP work. Management claim that some PIP work has a finite life span which prevents them offering permanent contracts there. PCS will of course be challenging this.

PCS raised the issue where some FTA members were not offered permanent contracts unless they "volunteered" to work a higher number of evening shifts than they were contracted to work as FTAs. Senior managers stated clearly that this should not happen. Although that did not preclude any members who may want to genuinely opt to work more late shifts than they are currently working from requesting this.

No ban on partial retirement

PCS also raised the issue of what seems to be a real obstacle in obtaining partial retirement. Senior managers gave a firm commitment that there is no blanket ban on this and each case will be looked at individually. However senior managers have been clear that the business will find it difficult to support someone having Mondays and Fridays as their non-working days, due to peaks in the volume of work.

Festive leave 2016

The setting of a 25% and then 30% leave limit for parts of the Christmas break meant that many areas of the business were overstaffed relative to the volumes of work. Negotiators highlighted the intake volumes and clearance volumes, where these were available, which showed clearance far exceeded intake in areas like Labour Market Decision Making. Senior managers gave a commitment to acquire these figures across BSD, to share them with the GEC and to have an early discussion about festive leave for 2016.

Annual Leave 2016

Members will be aware that **all** requested leave has been granted for the period up until the 2016 festive period. Confusion has resulted in some sites not offering staff the option to book leave after October 2016. Sites where this has not been done should immediately offer these periods for the booking of leave. Management believed that allowing further leave for November and December 2016 (with the exception of the festive period which will be considered separately at a later date) should not present a problem, but agreed to speak to PCS if any issues arose. If, as a result of delays, members are refused leave from October to December.

Management have discussed options for exceeding the cap, and for sharing out access to short notice leave in a less stats-driven way. There are problems with some sites now refusing to authorise any further leave requests, regardless of the leave situation in any given week, and of some sites blocking access to leave in weeks other than the three weeks (Spring Bank and the last two in August) where BSD management believe they have already allowed the maximum leave they can. In addition, there is evidence, from those sites that use WfM, of leave being blocked out well before the 18% cap is reached. A further meeting is being arranged to go through on-going leave issues in more depth.

Wallboards

We made clear our opposition to the proposed use of wallboards in telephony sites. We reminded management that this proposal had generated a considerable amount of negative comment from our members. However, they maintained their position that they would not know whether these were of any benefit unless they were piloted. They stated that they would not be used simply to show call queues, PCA etc and that they wanted them to be used in a way that gave our members access to positive information as well. They stated that the pilots, in Sheffield contact centre and PIP/DLA telephony in Warbreck House, Blackpool would be properly evaluated and would not be rolled out regardless. Members in the two pilot sites should feed issues into their local reps who can report all the problems to the Operations TUS about exactly how these wallboards are being used. BSD senior management were clear that their use should not be a constant drum beat to make our members work faster.

Performance: it's just not cricket

PCS raised continuing concerns about a BSD approach to "ranking" when assigning box marks, in contravention of the DWP People Performance policy and the [DWP Myth Buster](#). It was admitted that some of this may be down to misuse of an analogy involving a cricket team and how many runs each individual scores. BSD management confirmed that all staff should be assessed against the performance standards and not against their peers, as is explicitly stated in the DWP guidance. Any contravention of people performance procedures should be raised with local reps and escalated through the normal channels. BSD senior management want examples of instances where the DWP policy is not being followed.

The following details have been supplied by PCS DWP Group:



PCS improves political activities procedure for DWP staff Standards of Behaviour Improvements

PCS Briefing DWP/MB/018/15 invited feedback from members on proposals for changing DWP standards for political activity. The scope for change was limited by the terms of the Civil Service Management Code but DWP has agreed a significant amendment of DWP Standards of Behaviour (SOB). DWP has introduced improvements to procedure and guidance for political activities from 7th December 2015 following consultation with the Departmental Trade Union Side (DTUS).

Standing permission for political activity

From 7/12/15, in DWP, *all employees in grades AA (Band A), AO (Band B), EO (Band C) or HEO (Band D) employed in a Benefits Centre, Contact Centre, Pensions Centre, Universal Credit centre or Jobcentre who have no face to face contact with the public as part of their job role are deemed to be in a non-sensitive role and have standing permission to engage in political activity at national or local level. They must, however, notify their manager of their intended activities before taking them up.* This improved freedom to engage in political activity is published for the “Intermediate Group” category under the SOB/Tools for Political categories by employee groups on the DWP Intranet.

Posting policy for political activities

SOB Procedure 93 has been amended to support employees who wish to become or remain politically active: *The Department will try to post employees who wish to become or remain politically active in non-sensitive roles, but cannot guarantee such roles will always be available. The employees concerned must understand that this may have the effect of limiting their range of experience.*

Reinstatement for unsuccessful candidates

SOB Procedure 104 has been amended to support the reinstatement of former employees who have resigned to stand for election but were unsuccessful.

PCS supports further improvements

DWP has confirmed that the application of the Civil Service restriction on political activity for employees who have “a significant amount of face to face contact with the public” is supported by the Cabinet Office and will not be revised. DWP defines *a significant amount of face to face contact* as having “on average three or more face to face contacts per week with members of the public.” This definition was used in the Employment Service, without the “on average” qualification, and has been used in DSS/DWP for over 30 years. PCS will support appeals to the Civil Service Appeal Board.

QUIZ RESULTS!

Alistair’s Really Dr Who Quiz

Yes that really was a photograph of me in the Newsletter last time, I told you that I was a dead ringer for the new Dr Who; Peter Capaldi. Here are the answers to my real Dr Who quiz:



Answer 1: Weeping Angels are dangerous if you “Blink”.

Answer 2: The two Doctors were missing from the 1985 two hour episode “The Five Doctors” were Tom Baker and William Hartnell

Answer 3: Peter Capaldi had previously been in an earlier episode of Dr Who, playing Lucius Caecilius in the Fires of Pompeii

Answer 4: Tom Baker call himself The Curator in the 2013 episode “The Day of the Doctor

Answer 5: John Hurt played the “War Doctor”.

Answer 6: Peter Capaldi’s Dr Who plays the guitar 2015 series.

The winner who received a mystery prize of chocs was Lesley Tague. Well done. Right I am off to do some more filming.

Alistair

Mick and Grant’s Last Christmas Quiz

The boys from Wallop! are back with the answer to our Christmas pop records quiz.

Easy weren’t they? Here are the answers from us, Wallop! Layton’s answer to Wham!, to you the members:



Answer 1: According to the song what all Mariah Carey want for Christmas in 1994 was you

Answer 2: According to the song what were Mel and Kim were rockin’ around in the Christmas Tree in 1987.

Answer 3: And Brenda Lee recorded the same song in 1958.

Answer 4: Shakin’ Stevens had a number 1 hit in with Merry Christmas Everyone in 1985

Answer 5: Wizzard wanted it to be Christmas everyday

Question 6: Wham! According to the song Last Christmas wanted to give their hearts next year to someone special.

The winner is Cathy Griffiths who receives a mystery prize of chocs. Well done!

Mick and Grant



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Trade Union representation for managers in the DWP

This briefing provides branches with an update on the latest attempts by First Division Association (FDA) to recruit staff at HEO and SEO grades into a new body within the FDA called Keystone. This briefing also details the response by the Group Executive Committee (GEC) and DWP management.

The FDA recently used the internal DWP email to send a Festive Greeting to staff in the HEO, SEO and other senior grades.

The content of the email is very clearly intended to induce staff to join the FDA.

The email was deliberately sent to very many PCS members in management grades and to staff in grades represented by PCS for whom FDA does not have recognition.

Not unexpectedly this has been viewed by our members and reps as a breach of TUC rules designed to avoid poaching of other unions' members. Several PCS branches have contacted the GEC to say that members have complained about this email. The GEC is providing additional organising support to the branches most affected.

The email was also deliberately sent to staff who would be non FDA members.

This is a clear breach of the Employee Relations Framework (ERF). Such obvious, deliberate breaches of the ERF on such a departmental wide scale risks endangering the good relationship all DWP unions have with DWP Employee Relations team.

The relationship between PCS and the FDA in the DWP has always been good. The FDA plays an active role in the Departmental Trade Union Side (DTUS). The GEC wishes to continue to work well with the FDA.

To maintain that good relationship the GEC have written to the FDA making all of these points and seeking an assurance that this type of communication will not be repeated.

DWP management have also responded to this FDA activity by putting this clear message on the DWP intranet –

“Colleagues may find it helpful to clarify that, as a department DWP recognises three trade unions; these are PCS, FDA and Prospect. Members of all three unions have the right to be represented by one of their representatives on disciplinary grievance and other individual matters.

The FDA trade union has recently launched a new facility, known as “Keystone”, with recruitment activity targeted at the HEO and SEO grades.

*DWP management want to make it clear that while all three trade unions are recognised and are free to undertake recruitment activity, **FDA does not have recognition for the purposes of collective bargaining for matters affecting employees in the HEO and SEO grades.** Employees in those grades who choose to join FDA will,*

however, have the right to be represented by one of their representatives at personal case hearings.

Any individual thinking of joining a union will need to consider what each union has to offer, which may include individual representation and whether it has collective bargaining rights.”

Any further attempts by the FDA to recruit HEO and SEO grades should be resisted by DWP branches as it is in clear contravention of TUC rules by seeking to ‘poach’ members for whom PCS has bargaining and recognition rights and, conversely, seeking to recruit members for whom the FDA does not have bargaining rights.

The FDA website continues to encourage HEO and SEO to join a branch of its union they are calling ‘Keystone’.

PCS Benefits for managers

Through this website the FDA is basing its appeal on its range of member benefits. PCS member benefits are significantly better. The full range of PCS membership benefits can be found at:

<http://www.pcs.org.uk/memberbenefits>

and includes access to legal advice, insurance, financial benefits, shopping discounts, a range of helplines and a comprehensive benevolent fund. While PCS does not primarily promote itself on the basis of member benefits, it is worth branches familiarising themselves with these benefits.

In addition PCS offers training and development opportunities at all levels of the union to all members. We work in conjunction with universities and colleges throughout the country to deliver professional management related courses and hundreds of PCS members at SEO and HEO grades, as well as members who aspire to managerial grades, have benefited from PCS sponsored training. National training agreements we have reached with learning providers mean that these providers work exclusively with PCS. Training and development is accessed through our network of thousands of trained union learning representatives. Additional information is available here:

<http://www.pcs.org.uk/learning>

FDA is offering membership to HEO's and SEO's at £16.50 per month. PCS membership is capped at £13.45.

By taking this action, FDA continues to be in breach of the TUC Disputes Principles and Procedure (DPP) Principle 2.

PCS, nationally, have written to the FDA asking that they stop encroaching into PCS membership areas, that the website be immediately taken down and inviting FDA officials to meet with PCS.

PCS nationally have also now formally complained to the TUC.

DWP Group Professional and managers Advisory Committee

PCS in the DWP has an advisory committee that represents the views of HEO grades and above to the GEC. The DWP PMA advisory committee will be issuing further guidance and advice to branches.

People Performance: Should you have a PAL?

Performance Action & Learning (PAL) Plans have replaced Performance Improvement Plans (PIPs)

People Performance and PAL Plans

Performance Action and Learning (PAL) plans have been introduced following consultation with the Departmental Trade Union Side (DTUS). This change replaces Performance Improvement Plans (PIPs) which DWP recognised have been discredited by association with poor performance action.

Should you have a PAL?

The purpose of a PAL plan is published as an “Introduction” on the PAL Plan Form which states:

- *Every employee must have a 'Performance Action & Learning (PAL) plan' if there are any concerns about them meeting objectives and / or demonstrating required behaviours. This will support the achievement of improvement goals identified in an employee's performance discussions, regardless of their performance rating.*
- *Performance Action & Learning (PAL) plans can be used informally and formally. They are a positive enabler to improve performance and not an indication that the employee is a poor performer or necessarily has a greater risk of being subject to formal 'Managing Poor Performance' action than any other employee whose performance needs to improve.*
- *The Performance Action & Learning (PAL) plan must be drawn up by the line manager, following consultation with the employee, as soon as the performance issue surfaces, which effectively means during the informal stage. The purpose is simply to communicate clearly and assist in remembering.*

If a PIP is already in place, it should be transferred to the new PAL plan at the next scheduled review.

What will a PAL ensure?

As detailed, in the PAL Form Introduction statement, the use of these Plans will ensure:

- a)** *There is shared understanding between the employee and their manager of the issue(s)*
- b)** *There is shared understanding between the employee and their manager of the actions that need to be taken and the deadlines for taking them*
- c)** *Deadlines are not missed or delayed*
- d)** *Progress is monitored and discussed at regular review meetings.*

Informal and Formal Action

PCS has always argued that performance issues should be addressed informally using the People Performance process with formal action, under the Poor Performance Procedure, only as a very last resort.

A PAL plan is intended for very general use as a *positive enabler to improve performance*. The new PAL plan should be used in all cases where there is any concern about someone's performance and should ensure the employee and their manager share an understanding of the issue, the actions that need to be taken and the deadlines for meeting them. People Performance Procedure 8 covers informal action. Associated guidance includes:

- The guide titled *'How To: Deal Informally with Dips in Performance'*.
- A Line Manager toolkit for line managers to help them improve the performance of employees

Where normal, reasonable, support has been provided, in line with the guide ‘*How to: deal informally with dips in performance*’, but performance overall remains at an unacceptable level, the manager must follow the Managing Poor Performance procedures. The new PAL plan is also intended for use under formal Poor Performance Procedure. This means that re-naming a “PIP” as a “PAL” plan may not remove the stigma of poor performance which was associated with the PIP.

Do you have an unwelcome PAL?

The terms for the use of a PAL plan will, in practice, mean that all employees awarded a *Must Improve* rating must have a PAL plan. Grievances against unfair and inappropriate *Must Improve* ratings may also include reference to a failure to introduce a PAL. The nature of the improvements identified in the PAL may support a case that a *Must Improve* rating was a disproportionate response under the criteria for this rating, detailed under People Performance Procedure 9.7, which states:

9.7 The Must Improve rating includes employees whose performance requires improvement and those employees who are being managed under formal unsatisfactory performance procedures. This rating may also be appropriate for others whose performance has required improvement during the reporting period, where this is a proportionate response. Mid-year and end-of-year ratings will always be based on a balanced consideration of the employee's personal performance over the entire period and decisions must be transparent, fair and reasonable.

PAL plans are exclusively a performance tool. They are not appropriate where the issue concerns misconduct in relation to DWP's Standards of Behaviours, such as rudeness or bullying. Misbehaviour like this should continue to be dealt with under the Discipline Policy.

DWP Must Improve

The use of a PAL plan in *Must Improve* cases should help to ensure that the reason for this rating is *transparent, fair and reasonable*. However, DWP must recognise that People Performance must be fundamentally improved to:

- Require that employees must be awarded the performance rating they have achieved
- Abolish guided distribution
- Prohibit the use of any quota system to force or guide the rating process

DWP issues Notice for offshore HR Data Processing by SSCL

Fair processing notice issued

DWP has issued a *Fair Processing Notice* today, as required under the Data Protection Act 1998, to inform all staff that Shared Services Connected Limited (SSCL) intends to process their personal data, relating to HR, payroll, procurement and finance, offshore, in India, from February 2016. This Notice is published on the DWP Intranet together with a Frequently Asked Questions (FAQ) briefing.

PCS opposes offshore processing

Offshore processing of DWP HR Data has been part of the planned Operating Model since the creation of SSCL in November 2013. PCS has opposed the transfer of DWP staff and work to SSCL including the intention to offshore processing. PCS will continue to oppose offshore processing and demand the return of this work to the civil service.

Compliance with Data Protection Act

The Departmental Trade Union Side (DTUS) has been consulted about the implementation of offshore processing. PCS has worked to ensure that SSCL offshore processing will comply with the Data Protection Act. DWP has confirmed that all processing will comply with the Act. The only basis for an individual to object is outlined under the 13th FAQ where, under Section 10 (1) of the Act, an individual may object in writing *on the ground that, for specified reasons*, the processing of personal data offshore is *likely to cause* that person, or another, *unwarranted substantial damage or distress*. However, Section 10(2) of the Act confirms that this right does not apply in certain circumstances, listed under Schedule 2, which include when the individual's consent is not required for data processing for *performance of a contract* with the individual or *compliance with any legal obligation*.

DWP information security

No HR data will be held offshore. All of the HR data will continue to be stored in the UK. Strict information security physical, procedural and technical controls will apply at the processing centre in India. Offshore staff will only be able to view data they need to undertake their tasks and responsibilities and will not have the ability to copy data in any way through any medium.

Further information

Further information is provided by DWP in 15 Frequently Asked Questions, issued with the *Fair Processing Notice*, which conclude with a DWP contact point for any further queries.

The following details have been supplied by PCS DWP Group:

PCS wins case law dispute at Appeal Court Decision of Court of Appeal (Griffiths v DWP) supports a DETP as an Equality Act reasonable adjustment

PCS opposes disability discrimination

PCS has supported legal action under the Equality Act to challenge formal action taken against employees because of disability related sickness absences. Branch Briefing DWP/BB/115/14 reported the disputed decision of the Employment Appeal Tribunal (EAT) in the case of **Griffiths v DWP** where the EAT established case law that a reasonable adjustment of a trigger point was not a reasonable adjustment under the Equality Act and the adjustments sought were not reasonable. The Court of Appeal gave its judgment on this dispute on 10/12/15 in favour of the PCS case that discounting disability related absences and Disabled Employee Trigger Points (DETP) are reasonable adjustments under the Equality Act Section 20 duty to make reasonable adjustments:

- *...a disabled employee, whose disability increases the likelihood of absence from work on ill health grounds, is disadvantaged in more than a minor or trivial way. Whilst it is no doubt true that both disabled and able bodied alike will, to a greater or lesser extent, suffer stress and anxiety if they are ill in circumstances which may lead to disciplinary sanctions, the risk of this occurring is obviously greater for that group of disabled workers whose disability results in more frequent, and perhaps longer, absences. They will find it more difficult to comply with the requirement relating to absenteeism and therefore will be disadvantaged by it. (Para 47)*
- *...if the disability leads to disability-related absences which would not be the case with the able-bodied, then there is a substantial disadvantage suffered by that category of disabled employees. Thereafter the whole purpose of the section 20 duty is to require the employer to take such steps as may be reasonable, treating the disabled differently than the non-disabled would be treated, in order to remove the disadvantage. The fact that the able-bodied are also to some extent disadvantaged by the rule is irrelevant. (Para 58)*

- *The fact that all employees were at risk of dismissal if they were unable to perform the contractual duties of the job did not eliminate the need to make such adjustments as were reasonable when the reason for the inability to work was connected with disability. (Para 59)*

The Court of Appeal has rejected the EAT decision that the purpose of reasonable adjustments is only to enable a disabled employee to carry out their work or to return to work after a disability-related absence and has confirmed that, where an employee's disability leads to a level of absence which a non-disabled employee is unlikely to have, the rules of an attendance management policy will put the disabled employee at a substantial disadvantage. The question is then whether it is reasonable for the employer to adjust the rules of the policy in the particular circumstances. This can include reasonable adjustment of a trigger point. However, the Court of Appeal confirmed (Para 73) that the question whether the proposed adjustments were reasonable in this case is a matter for the Employment Tribunal (ET) and *has to be determined objectively*. The question for the Court of Appeal is whether that was a *sustainable decision on the evidence before it*. **The Court of Appeal concluded (Para 74) that, in the particular case of Griffiths v DWP, where the proposed adjustments were to disregard a 62 day disability related absence, remove the warning and award a DETP of 20 days, it was open to the ET to find that these adjustments were not reasonable.**

Court of Justice of European Union case law

The Court of Appeal supported consistency with European case law in the *Ring* case (Para 62). *In Ring a common rule relating to sickness absence was held to disadvantage disabled workers who suffered from disability-related sickness absences. In my judgment it is clear that the common rule applied in this case equally disadvantages disabled workers whose absence is disability-related....The only question therefore is whether there are reasonable steps which would remove that disadvantage.*

Disregarding disability related absence case law

The Court of Appeal has confirmed case law (Para 67) that disregarding disability related absence can be a reasonable adjustment under the Equality Act: *there is no reason in principle why such absences could not be discounted in the context of determining whether or not to dismiss or*

take other remedial action for absenteeism. It is also relevant in my opinion that the Policy itself envisaged that this might be an appropriate step for the employer to take with respect to disabled employees.

Reasonable adjustment of trigger/consideration point case law

The Court of Appeal has confirmed case law (Para 78) that *there will be cases where it will be clear that a disabled employee is likely to be subject to limited and only occasional absences. In such a situation, it may be possible to extend the consideration point, as the Policy envisages, in a principled and rational way and it may be unreasonable not to do so.*

Awarding a DETP in a principled and rational way

DWP Advice for deciding a DETP (Disabled Employee Trigger Point) is under Attendance Management Advice Q&A 7 and 8. DWP Attendance Management Procedure for Employees 5 confirms that: *Where appropriate, your manager will increase the Trigger Point by a reasonable amount to take account of absences related to your disability. This is called the Disabled Employee's Trigger Point. This decision will be made on a case by case basis. There must not be any local predetermined blanket limit on what the DETP should be. This means that, if you take time off because of your disability, you will not face formal action unless your absence level reaches or exceeds the Disabled Employee's Trigger Point. Spells will not apply to disability related absences.*

PCS will provide further guidance which takes account of the Appeal Court decision.

DWP must improve

PCS has raised concerns with DWP about the need to take more effective action to safeguard employees against unfair dismissal and unlawful discrimination. The legal action in this case will be another basis for consultation with DWP on the need to support the delivery of *a principled and rational* application of Attendance Management Procedures. PCS will provide further guidance.

Change of Special Leave Policy – Career Break (Carers)

Within the recent changes to the Special Leave policy the DWP introduced a new category -

Career Break (carers). While this is not fundamentally different to what was in place before (Carers Leave) the new category has introduced much stricter criteria for staff in order to qualify.

This includes :

Not be undergoing formal disciplinary / poor performance / attendance management action; or be subject to live disciplinary warnings; (for performance and attendance, formal action means being under review following a formal warning).

PCS have raised concerns about the strict criteria. It fails to take into account the reality of many members circumstances when finding themselves in a position where they need to take special leave to look after relatives and so on.

For example, a member who has to care for an elderly parent may have had a difficult lead in period before they find that they need to apply for special leave. It is quite possible – in fact probable – that the stress of looking after a sick relative will have an impact on an individual's performance and/or attendance at work. Stress levels being a big factor when making a decision on whether or not to take a career break. We are all aware of the draconian attendance management policy and how harshly it can be applied. As a result a member may have the double whammy of having a warning in place related to the caring issues and then be turned down for a career break when it is the only option left to them.

PCS has already heard of cases where members have had to resign in order to care for a sick relative. This does not fit easily into the mould of an employer who espouses work/life balance and support for carers, bearing in mind that DWP is a member of Employers for Carers.

The changes to the Special Leave policy were introduced to bring DWP more in line with CSEP, cross-government policies. PCS will continue to press for more flexibility to be written in to the policy to take into account of the difficult circumstances members may find themselves in.



Workers' Memorial Day – this year, it's the law

Every year more people are killed at work than in wars. Most don't die of mystery ailments, or in tragic "accidents".

They die because an employer decided their safety just wasn't that important a priority. Workers' Memorial Day (WMD) commemorates those workers.

The 28 April annual event is marked all over the world, as workers and their representatives conduct events, demonstrations, vigils and a plethora of other activities to mark the day.

As preparations begin for this year's event, the TUC has announced the global campaign focus. "In 2016 the theme for the day is 'Strong Laws - Strong enforcement - Strong Unions' because across the world we are seeing growing attacks on health and safety protection, including in Britain where the government have removed protection from millions of self-employed workers, and across Europe where the European Commission is pursuing a dangerous deregulatory strategy," the union body said. "However strong laws are not enough if they are not going to be enforced. That is why we need proper inspections and enforcement action against those who break the laws."

The TUC said that in UK the number of inspections has fallen dramatically in the past five years, while in many other countries enforcement is non-existent. "That is why we also need strong unions. Unionised workplaces are safer, yet the government is trying to stop unions protecting the health and safety of their members by restricting the right of health and safety representatives to take time off to keep the workplace safer, and also trying to reduce our right to strike when things go wrong."

Privatised back to work tests a failure

The privatised system of assessing sick and disabled social security claimants is still failing claimants and taxpayers, civil service union PCS has said.

The union was commenting after a National Audit Office (NAO) report concluded the Department for Work and Pensions has not achieved value for money in its management of health and disability assessments for employment and support allowance (ESA) and personal independence payments (PIP). Even this did not tell the whole story of the failures of the privatised system, the union added. It said in only considering the value for money of contract management, not of the government's wider reforms and policies, the NAO 'disappointingly' missed an opportunity to properly scrutinise the merits of a system that claimants feel is unfairly targeting them. PCS general secretary Mark Serwotka said: "This report, while disappointingly limited in its scope, casts grave doubts on the policy of privatising this very sensitive public service. Claimants need to feel they are being supported, not targeted, and we will continue to press for this work to be brought back in-house."

The NAO report found the cost of the scheme has doubled, costing the public purse £579 million a year. Expected savings had been slashed from £1.1 billion to £400m. US firm Maximus, which is operating the scheme on behalf of the DWP, has a backlog of 280,000 "work capability assessments." These assessments have been linked to an elevated risk of suicide and depression. Commons public accounts committee chair Meg Hillier said: "Disabled people and taxpayers in general have been failed by the DWP's inability to manage health and disability assessments."

**This information has
been supplied by the:**
TUC

Union safety reps save lives, save millions



The UK's network of 100,000 trade union health and safety reps not only reduce the toll of injuries and ill-health at work, but save the economy many millions

of pounds, according to a new TUC report. 'The Union Effect: How unions make a difference on health and safety' reveals that workplaces with a union presence have a 24 per cent lower rate of injuries than non-unionised workplaces.

The report highlights a 2013 campaign in Weetabix to increase union involvement in health and safety that led to a greater than 30 per cent reduction in all work-related injuries across all sites in the first 12 months.

As well as having higher levels of safety training and participation in safety issues at work, the union safety role saves the economy many millions of pounds, the report notes. It says safety reps save society more than £181m each year by cutting down on the time lost from workplace injuries, and knock off 286,000 days from the sick leave total that would otherwise have been lost to work-related illness. The TUC said this positive contribution could be jeopardised by the Government's Trade Union Bill, that could lead to cuts in the amount of time available to safety reps to perform their role.

TUC General Secretary Frances O'Grady said: "Union health and safety reps play a huge role in protecting people at work and save the economy millions. Good employers recognise the importance of working with unions to ensure their shops, offices and factories are safe. It's a shame the Government is putting this good work at risk with its ill-conceived Trade Union Bill."

Public sector workers sleep-deprived, says study



Gruelling working hours across the public sector are leaving workers sleep deprived, with many only managing six hours sleep per night, a study has found.

Research led by the University of Leeds and commissioned and funded by bed firm Silentnight found nearly a third of Britons suffered from sleepless nights as a result of long work hours and job-related pressure and stress.

People employed in the public sector – including workers in education, health, and local government – slept for six hours a night on average, below the NHS recommendation of seven to eight hours per night. A quarter of those working in social care suffered from "dangerously low" averages of five hours or less per night. One in five people reported serious issues related to tiredness - including problems staying awake, socialising, feeling enthusiastic about day-to-day tasks, driving and maintaining concentration.

About 21 per cent reported that they worked over 40 hours a week and 30 per cent reported that their work negatively affected their sleep. Those who considered their jobs to be stressful were significantly more likely to take longer to fall asleep, to be unhappy with their sleep and to sleep less. The researchers warned both lack of sleep and stress at work are associated with reduced health-related quality of life. Dr Anna Weighall, of the School of Psychology at the University of Leeds, who led the study, said: "The extent to which our work is stressful and working long hours seem to be important factors associated with poor sleep. And in many cases British people are sleeping below the recommended amount." She added: "Given that good sleep health has been shown to be crucial for our health and well-being this is a real public health issue. Many respondents reported work and job-related stress impacted on their sleep, with 42 per cent of the people we spoke to branding their job stressful, it is unsurprising sleep patterns are affected."

**This information has
been supplied by the:**

TUC

Fit for work ruling 'caused suicide'

A man with severe depression hanged himself as a direct cause of being deemed "fit for work" by a medically unqualified government assessor, a coroner has ruled.

The Disability News Service (DNS) unearthed the coroner's report, saying that it appeared to be the first case in which a coroner explicitly linked Department for Work and Pensions (DWP) sanctions to a death.

Michael O'Sullivan, 60, killed himself in September 2013 after his employment support allowance (ESA) was stopped despite evidence from three health professionals confirming his serious health problems.

His GP declared that he was unable to work while a clinical psychologist and a psychiatrist both confirmed that he was suffering from chronic depression, anxiety and agoraphobia. But the assessor did not request the doctors' supporting documents before making the decision after a 90-minute assessment, the coroner said.

In her formal findings, senior coroner Mary Hassell wrote in January last year that his "anxiety and depression were long-term problems but the intense anxiety that triggered his suicide was caused by his recent assessment by the [DWP] as being fit for work, and his view of the likely consequences of that." The coroner further outlined her concerns in a separate document, known as a Prevention of Future Deaths report. She wrote: "I found that the trigger for Mr O'Sullivan's suicide was his recent assessment by a DWP doctor as being fit for work... In my opinion, there is a risk that future deaths will occur unless action is taken."

Disabled People Against Cuts cofounder Debbie Jolly, speaking to the Morning Star, said: "Once again we have evidence that the work capability assessment system is literally killing people. The government can no longer say there is no causality, now that we know there is." In August, the TUC called for an urgent enquiry after government figures revealed over 1,000 people a year are dying shortly after being told during benefit checks they are fit for work.

Insurers want to curtail work deafness payouts

The insurance industry wants to make it more difficult to claim compensation for occupational deafness, the TUC has warned.

The union body says despite a dramatic fall in the number of compensation settlements – down from 183,342 in 2002 to 103,401 – insurers have complained that noise induced hearing loss claims increased threefold in the last four years, from 9,334 to 27,490.

But the TUC says this represents statistical sleight of hand, not a genuine trend. It says while insurers are required to register with the Compensation Recovery Unit claims where the level of work-related deafness is over 50dBA – the threshold of severe disability that qualifies a sufferer for Industrial Injuries Benefit – it seems a number of insurers have started registering all hearing loss settlements.

According to the TUC, insurers are claiming the apparent increase is the result of an advertising push to attract new claims, and want the government to change the rules to make claiming more difficult.

Writing in the Stronger Unions blog, TUC head of safety Hugh Robertson notes: "The insurance industry wants to try to cut costs by stopping victims being able to recover all their costs. They have suggested introducing fixed costs at a much lower rate than at present. However, if that were to happen they would continue to put every obstacle they can in the way of claimants meaning that many of those made deaf through their work will simply not be able to afford to take a case." The TUC specialist says this would deny compensation to workers suffering a health problem that can also cause serious personal and social difficulties. "Perhaps insurers could spend their time better by using their resources trying to ensure that those they insure are fulfilling their legal duties," Robertson notes. "The bottom line is that anyone whose hearing has been damaged through work should be able to get the compensation they are entitled to and receive proper legal support at no cost to themselves."

This information has been supplied by the TUC.



Performance Management in the Technology Directorate

Background

PCS has received a number of complaints from members working within the Technology Directorate around some perverse behaviours which appear to be developing in respect of People Performance 2015/2016 reporting year. This circular seeks to address those concerns raised with PCS nationally.

Performance rating at the start of the year

It is incorrect to assume that everyone starts the year in Must Improve and must work hard to show they don't deserve it. A performance rating is not assumed at the start of the year. Performance is measured against both "What" is achieved and "How" it is achieved. Continuous improvement is achieved by raising the level of the objectives/behavioural standards to ensure everyone continues to be stretched.

Achieved marking

It is true that People Performance is looking to produce year on year improvements, so this year's performance expectations could be more stretching than last year's. However, performance is still measured against known performance standards. It is incorrect for the employer to demand that "all objectives have to be delivered to a high standard with people having to consistently demonstrate the expected behaviours in the execution of Technology goals". Meeting your objectives and demonstrating satisfactory behaviours will be enough to earn at least an Achieved marking.

Guided distribution

The distribution of 25% in Exceeded, 65% in Achieved and 10% in must improve is merely a guide to support standard setting, not a quota for forcing ratings. The employer awards performance ratings based solely upon achievement of objectives (the "What") and demonstration of required behaviours (the "How") evaluated against the agreed performance standards. Nobody should have their rating changed simply to meet the guided distribution.

Formal monthly meetings

A formal monthly indicative rating process will generate a substantial increase in preparation time for such an activity and would be viewed as an extremely oppressive application of the

process which is highly likely to generate perverse behaviours. It is the position of PCS that we should support a lighter touch approach for regular discussions. This would negate the introduction of corrupt practices which cannot be considered as being within the scope of the current policy. This includes staff being awarded monthly box markings based on key achievements within that particular month. Staff should receive an interim box marking at their mid-term review, with a substantive marking at the end of year process. That is the process clearly reflected in the People Performance policy.

Hills

PCS is aware of the introduction of "Hills" into the Technology Directorate. Our understanding of this is that it is a practice which Technology has brought in from the private sector and seen fit to introduce into People Performance. Whilst there has been no consultation with PCS around this, our understanding is that it seeks to replace the SMART KWO's. It does not contain measurables and is completely inconsistent with the People Performance procedures/policy used by the rest of DWP. Our advice to members in Technology is to resist any attempt by the employer to enforce the use of "Hills". The employer has accepted that there can be no mandatory requirement for staff to use "Hills". We have also escalated our concerns around this to our Departmental negotiators and requested that this be raised with the People Performance policy team.

Summary

Technology, at the beginning of this reporting year, took the decision not to consult with PCS on any Directorate approach to application of People Performance. In spite of this, PCS has sought to engage with the employer around the perverse People Performance practices which exist in Technology. We have now had two meetings with them, neither of which has resulted in resolving the issues raised by members. In light of this, PCS has used the DWP People Performance policy document to address and answer the legitimate questions raised by members around the perverse processes which appear to have been introduced into Technology.

Members should continue to raise legitimate concerns through their normal escalation routes.

The following details have been supplied by PCS DWP Group:



People Performance Equality Statistics 2014-15

DWP **Must Improve** equality proofing performance management

Equality data demonstrates that **DWP must improve**

Appendix A of this Briefing provides the DWP People Performance Equality Data for the 2014-15 End-of-year Ratings. Equality was central to the DTUS consultation on performance management and procedural requirements for transparency were introduced to meet PCS concerns. However, the diversity data for each diversity group again demonstrates that **DWP must improve**.

Equality proofing performance management

PCS is concerned that the use of guided distribution in any performance management process tends to have a negative impact on equality issues. DWP must recognise that People Performance must be fundamentally improved to:

- Require that employees must be awarded the performance rating they have achieved
- Abolish guided distribution
- Prohibit the use of any quota system to force or guide the rating process

DWP has refused to abolish or amend the current guided distribution for DWP People Performance. PCS is now taking legal action, as reported below, to improve equality proofing in the civil service. However, the purpose of guided distribution and its proper application has been clarified by DWP under *Myths busted* guidance, published under Tools, on the DWP intranet site for People Performance:

Myth One: The distribution of 25% in Exceeded, 65% in Achieved and 10% in Must Improve must always be met

Truth: The distribution is a guide to support standards setting, not a quota for 'forcing' ratings. Managers award performance ratings based solely upon achievement of objectives (the 'What') and demonstration of required behaviours (the 'How') evaluated against the agreed performance standards. Nobody should have their rating changed simply to meet the guided distribution.

DWP Must Improve

DWP has agreed to continue consultation with PCS to improve People Performance. Transparency of decision making is an essential safeguard against unfair, unreasonable or biased decisions. People Performance Procedure 9.7 confirms that ***Mid-year and end-of-year ratings will always be based on a balanced consideration of the employee's personal performance over the entire period and decisions must be transparent, fair and reasonable.*** PCS will continue to support all necessary action so that every employee will be awarded the performance rating they have achieved.

Appendix A - Notes

The guided distribution range for the 2014-15 year is detailed below. The 'Must Improve' category will automatically include those undergoing formal Managing Poor performance action at the time of the end-of-year review and those who have been dismissed for poor performance during the year.

0. No marking is required. An employee with less than 60 days (pro-rata) actual performance at the end of the reporting year is not assessed. An end of year report is not needed if the employee has retired, resigned, been dismissed or has left the Department through a voluntary severance or redundancy package or through compulsory redundancy and is not in post on the last day of March.

- 1. Exceeded** 20 - 25% of staff
- 2. Achieved** in the region of 65% of staff
- 3. Must Improve** 10% of staff

Appendix A

DWP People Performance Equality Statistics 2014/15

DWP Total	Final Rating			
	0	1	2	3
Total	2.5%	20.1%	69.4%	8.0%

Gender	Final Rating			
	0	1	2	3
Female	2.9%	20.9%	69.4%	6.8%
Male	1.6%	18.2%	69.4%	10.8%

Work Pattern	Final Rating			
	0	1	2	3
Full Time	2.3%	24.0%	66.0%	7.7%
Part Time	2.7%	15.0%	73.9%	8.4%

Ethnicity	Final Rating			
	0	1	2	3
Minority	3.5%	16.5%	70.4%	9.6%
Majority	1.5%	21.2%	69.6%	7.7%

Disability	Final Rating			
	0	1	2	3
Disabled	1.1%	14.6%	72.0%	12.3%
Not disabled	1.7%	20.7%	69.8%	7.8%

Grade	Final Rating			
	0	1	2	3
AA	1.2%	18.3%	70.6%	9.9%
AO	3.6%	18.1%	69.9%	8.4%
EO	1.7%	21.4%	69.2%	7.7%
HEO	1.1%	22.3%	68.5%	8.1%
SEO	1.2%	23.4%	69.1%	6.4%
G7	1.0%	24.9%	67.0%	7.1%
G6	1.1%	27.2%	63.6%	8.1%

Age	Final Rating			
	0	1	2	3
16-24	18.2%	13.5%	59.8%	8.5%
25-29	7.4%	25.5%	61.2%	5.8%
30-34	6.6%	24.6%	63.1%	5.7%
35-39	5.4%	23.7%	64.6%	6.2%
40-44	2.6%	23.9%	67.3%	6.2%
45-49	1.4%	23.2%	69.0%	6.4%
50-54	0.8%	19.6%	71.6%	8.0%
55-59	0.7%	15.5%	74.0%	9.7%
60-64	0.5%	7.9%	76.0%	15.6%
65+	0.5%	5.0%	73.5%	21.0%

The following details have been supplied by the TUC:

TUC

Unhealthy workplace trend confirmed by reports

Two new reports have confirmed an upward trend in work-related ill-health under the Conservatives.

A Hazards magazine analysis of official Health and Safety Executive (HSE) figures has revealed that since the Conservatives defeated Labour in 2010/11, self-reported work-related illness has increased by 7 per cent, up from 1.16m cases to 1.24m in 2014/15.

A report in the latest issue of the magazine notes that for stress and musculoskeletal disorders, which make up 80 per cent of the work-related total, long-term and new cases are both up. The musculoskeletal disorders figure in 2010/11 was 515,000. By 2014/15, it was 553,000 – up 7.3 per cent.

For stress, anxiety and depression, cases were up from 402,000 to 440,000, an increase of 9.4 per cent. It is an effect confirmed for England in the latest preliminary Marmot indicators from the Department of Health-supported Institute for Health Equity. These note: “The positive downward trend for work-related illness seen between 2009/10 and 2011/12 for England reversed in 2013/14, when 4,000 people per 100,000 (4 per cent of workers) employed reported a work-related illness, up from 3,640 in 2011/12.”

Announcing the findings, IHE director Professor Sir Michael Marmot noted: “We know poor conditions at work, such as long or insufficient hours, low pay, low control over tasks and insecure contracts can lead to increased risks of poor physical and mental ill health... our findings suggest that there is more that local employers and government can do to encourage, incentivise and enforce good quality work to support good health. Poor quality jobs will cost the health service more in the long run.”

Hazards magazine, criticising a decline in official inspections and enforcement action, noted: “The economic downturn put many of us under the cosh at work, with job pressure up and job security down. We needed a regulator to defend us. We didn’t get one.” In the same issue of Hazards, the TUC warned that the focus from employers was frequently “not on keeping workers safe, but instead trying to encourage them to look after their own health by encouraging them to eat well and exercise.”

Mick and Grant's



Quiz

There has been a deluge of letters, e-mails and phone calls asking what happened to Wallop!, and did we have any other musical ventures?

Well, we will enlighten you... after we thought that Wallop! had run their course we decided to continue but updated our sound. We were Layton's answer to Bros. We became "DROss".

At the start we were a three piece, Mick, Grant and Carl. However, Carl left after the first year to pursue a career boarding up broken windows, leaving us "the twins" to continue.

'When will we be famous. Mick can't answer, Grant can't answer that.'

Here are the questions about our next musical venture:

Question 1

What are real first names of the Goss twins?

- a) Mick & Matt b) Grant & Luke c) Henry & Frank
- d) Matt & Luke e) Garry & Graham

Question 2

What Bros want you to drop?

- a) The bomb b) The boy c) Trousers d) Everything but the Girl
- e) That now

Question 3

What was the name of the third member of Bros who left the band in 1989?

- a) Craig Logan b) Johnny Logan c) Ben Logan
- d) Jon Logan e) Logan's Run

Question 4

What was the name of Bros' first album?

- a) Move b) Jump c) Pull d) Dance e) Push

Question 5

What was Bros' only UK number 1 single called?

- a) Drop the Boy b) When will I be famous c) Too much
- d) I owe you nothing e) Cat among the pigeons

Question 6

What "Box" was Bros' last UK top 10 single? Was it?

- a) Musical b) Bobby c) Chocolate d) Wooden e) of Delights

Please send your answers together with your name and details to Duncan Griffiths Room A208R Warbreck (or e-mail Duncan Griffiths – details in the GAL) to arrive no later than 11th March 2016.

