



An Employers' Duty of Care

Employers in the UK are required by law to have a duty of care to ensure they offer a safe, unthreatening environment in which to work.

Under the Health & Safety at Work Act 1974 and Management of Health & Safety Regulations 1999, Employers are obligated to ensure, as far as is reasonably feasible, the health, safety and welfare of their employees at work, and to assess the health and safety risks. Since the 1999 regulations, in particular, managers can now fall foul of the law if staff become stressed through their work.

Lady Justice Hale (now a Law Lord) stated back in 2002
"an Employer who offers confidential Counselling, with access to treatment, is unlikely to be found in breach of duty".

Furthermore, in 2004, the Health & Safety Executive (HSE) issued set standards that Employers can follow to minimise their chances of being caught out by the Health & Safety at Work

Regulations 1999. They focus on how Employers can avoid putting undue stress on staff, and consequently avoid legal ramifications.

The Management Standard cover six areas of work design that, if not properly managed, are associated with poor health and wellbeing, lower productivity and increased sickness absence.

These are:

- Demands -workload, work patterns and the work environment.
- Control -how much say employees have in the way they are expected to carry out their work.
- Support -the encouragement, sponsorship and resources provided by the organisation, line-management and work colleagues.
- Relationships -promoting positive working to avoid conflict, and dealing with unacceptable behaviour.
- Role -whether people understand their role within the organisation and

whether the organisation ensures they do not have conflicting roles.

- Change -how organisational change (large or small) is managed and communicated in the organisation. With the above in mind, a straight-forward simple solution is to implement a low-cost Employee Assistance Programme (EAP).

Health Matters as a leading Health, EAP and Wellbeing Intermediary can source for your organisation the very best available EAP offering, ensuring you receive best practice at the best available price.

Remember, by having an EAP in-place you, the Employer, are protecting yourself from risk of litigation and you are also offering a genuine benefit that all employees, plus members of their family household, can utilize.

If you would like further information please do not hesitate to contact us

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