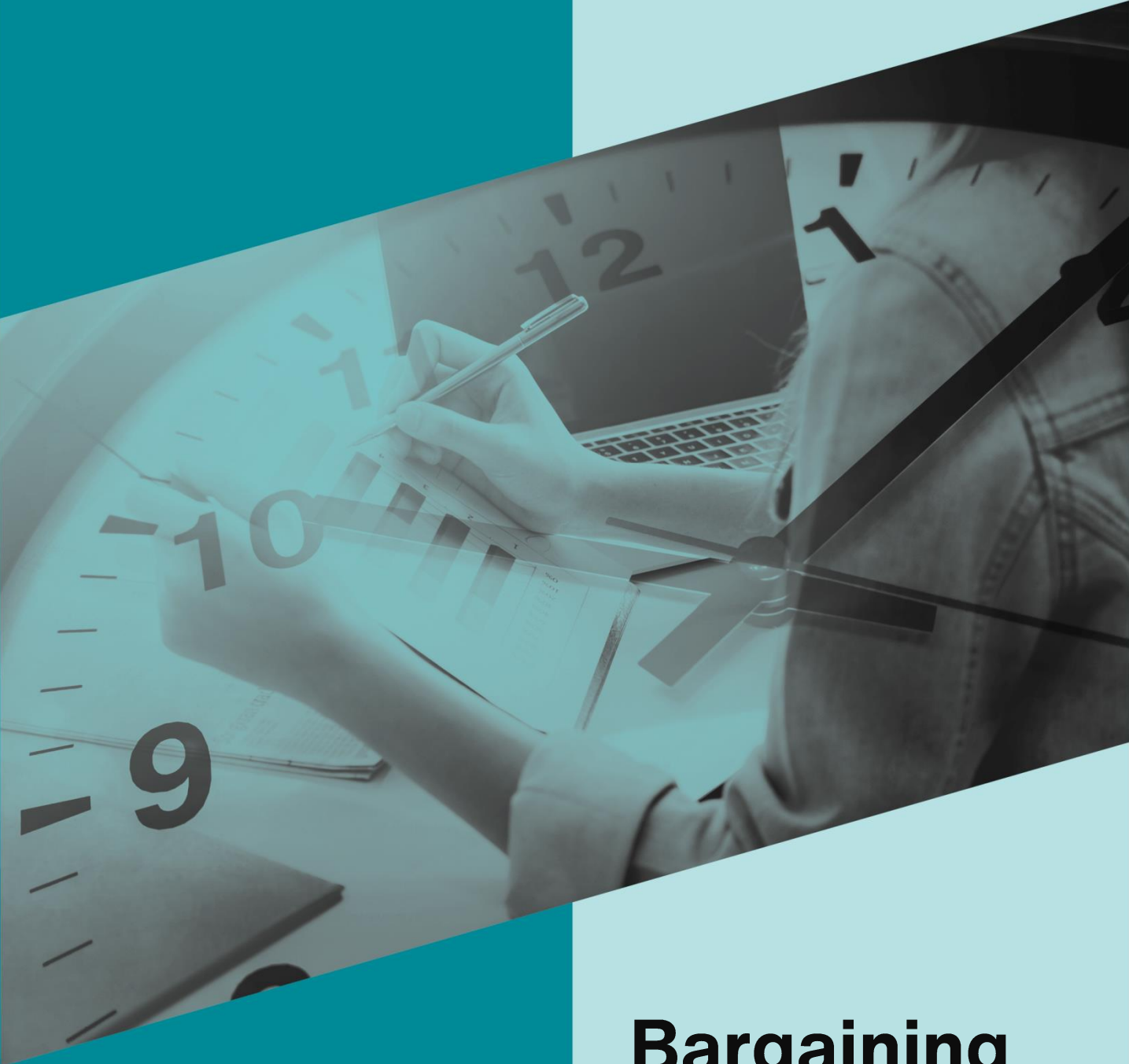


Bargaining Support Group



**Bargaining
on workload**

UNISON
the public service union



Bargaining on workload

Introduction

Pay, hours and leave are core dimensions of terms and conditions in the workplace that are usually clearly defined and agreed for in most types of contracts.

Workload is another central concern of staff. But it is often much harder to pin down, measure and agree in quite the same way.

Nonetheless, workers know when the demands on them are being ramped up to excessive levels, and the pace of work has always been a central battleground between employers and employees.

LRD's (Labour Research Department's) June 2023 edition of Workplace Report states that, when asking 270 union activists and reps about workplace problems, a quarter cited workload as an issue. In most cases they felt it is "very serious" or "serious". "And by two to one, they say it a general problem, rather than one affecting certain areas or staff groups.

As a group, those taking part were generally unimpressed by their employer's response to workload concerns. Asked if the problem was being taken seriously, these employers rated an average of just 2.35 stars out of five.

This particular group of people were drawn mainly from education, health, other service activists and public administration. Most were from the public sector."

While the push for greater levels of output through more intensive working is often ever present, budget cuts along with the gradual penetration of new technology into public services, have given the issue even more prominence.

The impact of new technology can spin off into almost every aspect of an employee's terms and conditions, including changing the requirements of a job role markedly and shifting an employer's capacity to monitor work and control workloads.

Data generated by automation can lead to much more detailed tracking of workers' performance and complex algorithms can be used to increasingly dictate the intensity of work schedules. The tracking of time a call centre operator spends in responding to calls and on that basis setting norms for the minimum number of call responses per hour is a typical example of just such a system.

Automated systems of working can also generate work practices that intrude deeper into employees' private lives, blurring the lines between work and domestic, and leaving workers feeling unable to 'switch off' outside of their contracted hours.

More information:

UNISON's 'Bargaining over the use of new technology in the workplace incorporating monitoring and surveillance, and automation guidance'

www.unison.org.uk/new-technology-in-the-workplace/

Excessive workloads remain an important campaigning issue for branches to organise around – and in the process – recruit new members.

Any such campaign should encourage members and non-members to speak out about the issue and not feel isolated. It should aim to raise awareness of workload issues within the workplace and publicise the branch's efforts to work with management to establish a workload agreement.

The campaign should promote the message that having a healthy work/life balance is good for staff and good for the employer.

This guide is intended to assist negotiators in making the case to employers for controlling workloads, putting in place the means for assessing workloads and taking measures to address excessive workloads.

If negotiators have any comments on this guidance or any experience of negotiations that could be usefully incorporated in the guidance, please contact Bargaining Support at bsq@unison.co.uk

Further guidance is available from bargaining support for branches and workplace reps www.unison.org.uk/bargaining-guides

Contact your regional education teams and / or LAOS to find out what training and resources are available to assist you with negotiating with your employer or promoting the issues in this guide with your members <https://learning.unison.org.uk>

Organising to Win

The outcome of any negotiation is in large part determined by the relative bargaining power of the parties involved. The most skilled, experienced, and informed UNISON officer, representative or organiser will only get so far without the backing of an organised and engaged membership and a readiness to deploy tactics designed to influence and persuade the employer.

Ultimately bargaining power is the ability to get an employer to do something they would not otherwise do. In this case, reach collective agreement with terms more favourable to UNISON members than would otherwise have been the case.

Bargaining on its own is not organising, until there is active engagement with members as a collective. Every bargaining aim must be seen as an organising opportunity, to build the union and achieve better bargaining outcomes.

The UNISON 5 Phase Plan to Win sets out the 5 phases of successful strategic organising campaigns to support a bargaining aim:

1. Research and development
2. Union base building
3. Launch issue-based campaign
4. Resolve the issue (and go to 5) or escalate and create a crisis (for the employer or ultimate decision maker).
5. Win, celebrate, review and sustain

A resourced and credible plan to win shifts the balance of power in negotiations in favour of UNISON. It enables the bargaining team to negotiate with confidence and win for members.

Where the plan requires member participation and supports the identification and development of activists, significant organising outcomes can be achieved to build the long-term strength of the Branch.

Ideally, bargaining goals can be achieved without the need to escalate campaigns to dispute. Where there is member support for escalation to deal with employer intransigence further advice must be sought from the regional centre.

Further detail is outlined in the **5 Phase Plan to Win guide and template**, which is available as one of the resources of the Organising to Win series.

UNISON activists can access the resources via the [Organising Space](#) – UNISON’s online space for activists. Visit the Organising to Win tile at [OrganisingSpace.unison.co.uk](https://organisingSpace.unison.co.uk) or contact your Regional Organiser for guidance and support.

UNISON staff can access the resources via the Organising to Win page on Pearl and can contact the National Strategic Organising Unit for guidance and support.

Had an organising win? Let’s learn the lessons and celebrate! Send a summary to WIN@unison.org.uk and we’ll be in touch.

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Making the case to control workloads

Improving workplace morale and wellbeing

“I work in adult social care on the front line, I work with adults with disabilities. In the last 20 years, we have moved from a position where everything was insourced – social workers, carers, with proper training and support on proper wages – to a position where everything has been outsourced. But we are not just at crisis, we are broken.

What is so sad for social care staff is that they are saying, ‘I don’t have the energy left to do it now. I’m playing constant catch up, I don’t know how to get from A to B.’ We end up being counsellors to the very staff we work with.”

[Manjula Kumari, NEC Black female representative 2023](#)

Staff constantly under pressure with an excessive workload are bound to feel aggrieved and to show low morale and lack of trust in their employer.

New ways of working post-Covid lockdown, with a higher number of people working from home at least part of the week, have also blurred the boundaries between work and home life often making it difficult for people to switch off from work.

[A report \(August 2021\) from Autonomy on the right to disconnect](#), looked at existing research on the prevalence and impact of always being ‘on’ for work. They found that, across a number of studies, “findings show that if workers have a chance to mentally ‘switch off’ from their work, they are generally more productive, engaged on the job and convivial with colleagues. On the other hand, if workers do not have the ability to ‘switch off’ mentally from their work, they are more likely to experience symptoms of exhaustion.”

And because “the vast majority of those who work from home are women... [as they are] far more likely to shoulder the additional burdens of childcare, housework and care for elderly family members... women are at greater risk of negative health impacts.”

Worryingly, [ONS statistics](#) show that homeworkers work a higher number of hours than those who never work from home and are more likely to do unpaid overtime.

But all types of workers are struggling with increasing workload, unpaid overtime or long working days that do not fully take account of all work-related activity as work time.

Three quarters (75%) of care staff who look after people at home are not being paid for the time it takes them to travel between appointments, UNISON found from a survey of more than 300 domiciliary care workers across England.

One care worker said they had done a 12-hour day including time travelling between appointments, but their employer only paid them for 9 hours. Another in a rural area

said they had to drive for at least 20 minutes between each care visit.

The impact on care staff denied this money is considerable, says UNISON. Some say they cannot afford to cover bills, are taking anti-depressants for stress and feel totally demoralised.

Louise who works in the East of England says: “No travel time pay puts immense pressure on me. I work in a rural area and often there’s a 20-minute or more drive between house calls, which isn’t taken into account. There’s constant pressure from the office and the people I support because I’m running late.”

Sam, who works in the South West, says: “I’m sometimes out from 6.20am until 9.45pm without enough of a break to go home. It’s a long day, very tiring and sometimes stressful. I have no quality time with my partner – it’s draining.”

That’s why [UNISON is calling for travel time payment to become a contractual requirement](#) for homecare workers.

In January 2022, UNISON commissioned the Labour Research Department (LRD) to conduct a [survey of individuals working in social work](#). Workload (cited by 90%), staff shortages (93%) and linked concerns such as working beyond contractual hours (80%) and the lack of work-life balance (79%) were among the most widespread and deeply felt concerns of social work staff in 2022.

At the start of 2022, just under three quarters of respondents “often feel their workload is excessive” (42% strongly agree and 32% agree). This feeling runs across the board but is strongest among those who work in children and families services.

A small majority of respondents overall (56%) agree to some extent that their manager tends to support them if they struggle with their workload, though one in five (21%) disagree with this. But a worrying one in six respondents (18%) say their manager “tends to blame or criticise me if I struggle with my workload”.

A health and safety measure

In February 2023, [the IOSH \(Institution of occupational safety and health\) reported](#) on how some employers were guilty of ‘wellbeing washing’ offering free fruit, gym memberships and yoga classes and the like with one hand, while pushing staff towards unsustainable workloads, long hours and burnout on the other.

In their poll, workers referred to wide-ranging examples of staff ‘benefits’ they did not want such as employment assistance programmes that focus on out-of-hours issues but don’t deal with work or office-related matters.

The benefits workers said they would actually welcome but were not getting, included work risk assessments for stress.

[The CIPD’s \(Chartered Institute of Personnel and Development’s\) ‘Health and Wellbeing at Work 2022’ report](#) shows that workloads remain by far the most

common cause of stress at work, (60% of respondents) as in previous years.

An employer's duty to control workloads is rooted in the protections to staff health enshrined in the Health and Safety at Work Act 1974 (or Health and Safety at Work Order 1978 in Northern Ireland) and the Management of Health and Safety at Work Regulations 1999 (2000 in Northern Ireland). While the former imposes a general requirement to ensure the health, safety and welfare of employees, the latter establishes a specific requirement to carry out an [assessment of the risk](#) to mental and physical health from working arrangements, and take action accordingly.

The [Health and Safety Executive \(HSE\) Stress Management Standards](#) provide a framework for an employer to evaluate stress-related risks. Amongst other issues, this recognises that workload demands and how much control a person has in the way they do their work, can cause work-related stress. It suggests carrying out an audit or survey to establish what is happening and to give an overall view of the workplace using the [HSE Management Standards indicator tool](#).

The HSE is clear that “work-related stress should be treated as any other workplace hazard; it is subject to the Management of Health and Safety at Work Regulations 1999 and therefore a risk assessment is required”.

Therefore, assessment of workloads can take place within this broader stress management standards framework, which is explained further in the [UNISON Stress Toolkit](#).

Whilst stress is not an illness in itself, it is clear that too much is unhealthy for us. As the [HSE describe](#), [work-related stress is](#) “the adverse reaction people have to excessive pressures or other types of demand placed on them. Workers feel stress when they can't cope with pressures and other issues. Employers should match demands to workers' skills and knowledge.”

Under the Safety Representatives and Safety Committees Regulations, health and safety reps must be consulted on any risk assessment and be provided with the results.

More information:

Health and Safety Executive (HSE) Stress Management Standards

www.hse.gov.uk/stress/standards/

UNISON's health and safety guidance on stress

www.unison.org.uk/get-help/knowledge/health-and-safety/stress/

UNISON's 'Guarding against stress: a toolkit for success'

www.unison.org.uk/content/uploads/2017/10/24660.pdf

TUC's 'Tackling workplace stress using the HSE Stress Management Standards'

www.tuc.org.uk/resource/tackling-workplace-stress-using-hse-stress-management-standards

Disabled workers

In the case of disabled workers, the Equality Act 2010 (or the Disability Discrimination Act 1995 in Northern Ireland), provide the additional protection of the duty on employers to make reasonable adjustments should disabled workers be, for example, disadvantaged by the expectations of the workload. Basically this means that, where workers are disadvantaged by workplace practices because of their disability, employers must take reasonable steps, e.g. by adjusting hours or duties, buying or modifying equipment or allowing time off, so that they can carry out their job.

More information:

UNISON's 'Proving disability and reasonable adjustments'

<https://shop.unison.site/product/proving-disability-and-reasonable-adjustments/>

UNISON's 'Reasonable adjustments: bargaining guide, model policy and accessibility passport'

www.unison.org.uk/content/uploads/2019/10/25875_reasonableadjustments.pdf

Pregnant workers

Once an employer is informed that a worker is pregnant, is breastfeeding, or has given birth within the last six months, then it is a legal requirement that they must carry out an individual risk assessment. This includes for agency, temporary or zero hours or 'gig economy' workers.

In carrying out the individual risk assessment an employer must:

- Review their existing general risk management and controls for pregnant workers and new mothers
- Talk to the worker to see if there are any conditions or circumstances with their pregnancy that could affect their work
- Discuss any concerns they have about how their work could affect their pregnancy
- Consult with their safety representative or trade union if they have one
- Take account of any medical recommendations provided by their doctor or midwife.

The [Health and Safety Executive \(HSE\) guidance](#) also makes clear that employers should review the individual risk assessment as the pregnancy progresses or if there are any significant changes to a workers' activity or workplace.

If a risk cannot be removed, the employer must temporarily alter the woman's working conditions, offer her suitable alternative work (on the same or better terms and conditions) or suspend her on full pay for as long as necessary to protect her health and that of her child in line with the Management of Health and Safety at Work

Regulations 1999.

The HSE specifically states that pregnant women and new mothers should avoid working long hours, shift work and night work, or working in stressful environments. Rest facilities should be provided for pregnant women and nursing mothers, and they are entitled to more frequent rest breaks.

More information:

UNISON's 'Protecting the health and safety of pregnant workers and new mothers in the workplace'

www.unison.org.uk/content/uploads/2022/08/pregnancy-toolkit.pdf

Health and Safety Executive (HSE) guidance on protecting pregnant workers and new mothers

www.hse.gov.uk/mothers/employer/index.htm

In Northern Ireland there is a separate **Northern Ireland Health and Safety Executive guidance on new and expectant mothers**

www.hseni.gov.uk/articles/protecting-pregnant-workers-and-new-mothers-new-and-expectant-mothers-updated-22-july-2022

Working Time Regulations

Under the Working Time Regulations 1998, working hours are limited and workers are entitled to minimum breaks to specifically protect their health and safety and help ensure they are not overworked.

The core rights that the Working Time Regulations provide in relation to hours worked are:

- 48-hour limit on the average working week¹
- Uninterrupted 11 hours continuous rest in every 24-hour period worked for the employer
- Uninterrupted 24 hours rest in every seven-day period²
- 20-minute rest break, away from the workstation, in every work period over six hours
- 8-hour limit on average working hours in a 24-hour period for night workers
- 5.6 weeks paid annual leave each year for each full-time

¹ Express exclusions to this include those who agree to opt out on this limit.

² Employers can alternatively require rest to be taken as 2 x 24 hours in 14 days or 1 x 48 hours in 14 days.

worker³.

Employers must also keep and maintain suitable records to show compliance.

There has been much research into the impact of the working week on workers. For example, an exhaustive [review by the Institute for Employment Studies](#) of all published evidence on the impact of long hours for the then Department of Trade & Industry found a clear correlation with lower productivity, poorer worker performance, health problems and lower employee motivation. A [2017 study of call centre staff](#) also found that longer hours resulted in average call handling times rising, making agents less productive as the day wore on.

Whilst 'presenteeism' (people working when unwell) continues to be an issue for many workplaces, two-thirds (67%) of respondents to the [CIPD's \(Chartered Institute of Personnel and Development's\) 'Health and Wellbeing at Work 2022' report](#) have observed some form of 'leaveism', such as employees working outside contracted hours or using holiday entitlement to work, over the past 12 months. But just three in ten respondents (30%) report their organisation has taken steps to address this unhealthy practice over the last 12 months. Only half (51%) of those taking steps to address 'leaveism' and 27% of those taking steps to address 'presenteeism' are investigating their potential causes.

More information:

UNISON's 'Bargaining on working hours'

www.unison.org.uk/content/uploads/2021/12/Bargaining-on-working-hours-1122-v2.pdf

UNISON's 'Bargaining on leave'

www.unison.org.uk/content/uploads/2022/06/Bargaining-on-leave-1022.pdf

Reducing turnover

The [CIPD's Good Work Index for 2023](#) found that amongst public sector workers, workload was a common issue, with 42% feeling there was "too much or far too much" work to get through compared to 29% in the private sector.

No wonder then, that they also found that employees in the public sector are more likely to feel disengaged with their work. More than a third (35%) of public sector workers said their work had a negative impact on their mental health. They were also more likely than private sector workers to feel their pay did not reflect the responsibilities of their job.

As a result many workers across the UK workforce were moving jobs because they were seeking better pay and benefits (34%).

³ A pro rata amount applies for part-time workers

UNISON'S 2023 health conference heard numerous motions charting the different mental health pressures that UNISON health members are under.

A familiar one was on ambulance staff, who delegates heard were experiencing “unrelenting stress”, not just from the increasing pressure caused by underfunding and the longest waiting times ever recorded, but also the frustration felt by crews “who want to do their very best for patients, but cannot because it is out of their control.”

The result is work-related anxiety spilling over to the rest of their lives and record numbers of ambulance staff leaving the service.

As Jo Fowles (above) of South West Ambulance branch put it: “The escalating pressure is taking a terrible toll on many at work. It means that large numbers of staff are voting with their feet and saying ‘enough is enough’.

“Many parts of the service are already badly understaffed, so we can’t afford to lose any more workforce. In my trust, at one stage we were experiencing 30 resignations a month, an average of one a day. And we can’t replace those people, because recruitment is also a problem.”

This affected all four of the UK nations, she said, with the need to “ratchet up the pressure on politicians to end the crisis and fund our NHS service properly.”

Excessive workloads that staff feel they cannot sustain over the long term will inevitably lead some employees to want to leave their employer.

Turnover rates across the economy saw a huge spike in 2022, jumping to 22.5% from 14.6% the year before⁴.

A high turnover can lead to hard-to-fill vacancies and staffing shortages, creating further problems for the existing workforce when trying to find cover when staff are off sick or on annual leave.

Reducing sickness absence

The unmanageable stress created by excessive workloads can act as a trigger for many mental health problems and will almost certainly bring about a greater number of days lost to sickness absence.

More social workers in Wales are quitting permanent council paid work and signing up with agencies due to burnout and stress, according to figures seen by **UNISON**. Social Care Wales (SCW) research has revealed a rise in social workers leaving

⁴ XpertHR, Labour turnover rates 2023 <https://www.xperthr.co.uk/survey-analysis/labour-turnover-rates-xperthr-data-2023/166733/>

permanent jobs with local authorities in favour of agency work from 2019 to 2021. Social workers who took part in the research put their reasons for quitting council employment down to burnout and stress. Some said local authority social work departments were toxic, negative environments with high demands and vacancy levels.

Staff interviewed by SCW also said agency work gave them a feeling of 'being in control' of work, workload and balance with family life. Agency workers only work the hours they are contracted for.

[Rhondda Cynon Taf social worker, Nicola Irwin](#), said, "We feel that our loyalty to the council and the job is taken for granted. Agency workers were meant to be a stop-gap but have become a permanent fixture. If the amount of money spent on agency workers was instead spent on permanent staff, we would have lower case loads and there would be less sickness absence."

The role of workload in contributing to poor mental health and sickness absence is apparent in the feedback gathered in a [2017 UNISON survey](#) covering almost 10,000 members who put "excessive demands of the job" as by far the greatest cause of stress in the workplace, with two-thirds of those surveyed identifying it as a factor.

More than four in five (83%) members said that they had experienced stress as a result of their workload in the past five years, one in five (20%) needed to take time off sick as a result and almost nine in ten (87%) felt that services sometimes suffered due to pressure put on staff at work.

[In May 2022, UNISON surveyed young members on mental health](#) and found that a shocking 81% had experienced a mental health problem in the last year. 19.8% said their mental health problems were related to work, and 59.3% said they were "partially" related to their work.

Stress and workload have a major impact on UNISON young members' mental health: over two-thirds of young members said they "often feel stressed at work" and 59.7% agreed with the statement "No matter how hard I work, it's difficult to get everything done". A similar proportion (57.5%) said that they "find it difficult to switch off from work at the end of the day".

These patterns have been confirmed in wider studies. [YouGov research in 2022](#) shows half of workers in Britain (52%) say they feel "very" or "fairly" stressed at work. Three in 10 (29%) say they work unpaid overtime at least once a week, including one in nine (11%) who say they work unpaid overtime every working day. More than half say their friends and family have asked them to cut back on hours, and a third say their work negatively impacts their outside lives.

These issues are even more acute in some parts of the public services. For example, UNISON's '[School support staff cost-of-living survey 2022](#)' found that two thirds (67%) said their workload had increased over the past year, with 49%

reporting a reduction in the number of support staff at their school over that period. Nearly half (49%) said they were actively looking for better-paid work elsewhere with retail the most popular (51%) alternative to education.

More information:

UNISON's 'Bargaining on mental health policies: a practical guide for UNISON branches'

<https://shop.unison.site/product/bargaining-on-mental-health-policies-a-practical-guide-for-unison-branches/>

UNISON's 'Negotiating sickness absence agreements'

<https://shop.unison.site/product/negotiating-sickness-absence-agreements/>

Increasing productivity and ensuring a quality service

However, in addition to highlighting the benefits of reviewing workload as a health and safety measure and to help address high turnovers and sickness absence figures, it may be valuable to highlight to employers the damaging impact of excessive workloads on productivity.

For example, the UK government commissioned the 2017 report '[Thriving at Work: the Stevenson/Farmer review of mental health and employers](#)' which found that there is a large annual cost to employers of between £33 billion and £42 billion of the poor mental health of their workers. Over half of the cost comes from presenteeism, when individuals are less productive due to poor mental health in work, with additional costs from sickness absence and staff turnover.

[WorkStress, the UK National Stress Network](#) suggests that highly stressful workplaces are "dysfunctional" because "they work to the benefit neither of the employee nor of the employer. The former can suffer from a range of stress-related mental and physical illnesses and the latter reaps this harvest in terms of low productivity, low employee morale and rapid staff turnover."

Even if staff remain with the organisation and avoid time off because of sickness, an excessive workload is inevitably going to lead to lowering of morale and motivation, reducing employees' daily productivity. This then in turn can impact on future workload, creating a spiralling problem of workload problems and anxious, demoralised workers, and a potential disaster for the organisation.

Excessive workload will therefore inevitably impact on the quality of service delivery, even potentially putting the public at risk.

In June 2023, Napo, UNISON and GMB, which represent staff working in the **probation service** in England and Wales, [say crippling workloads will lead to a catastrophic breakdown of the service](#) if the Ministry of Justice (MoJ) does not intervene.

Probation workers are responsible for monitoring people on probation in the

community. But a recent restructure and staff shortages are making it extremely difficult to keep tabs on some of the UK's most dangerous individuals, say the unions.

Employees are buckling under the pressure and many workers are quitting, leaving newly qualified and less experienced staff to take the reins.

Unions fear overstretched staff are being scapegoated for the effects of an under-resourced service, prompting yet more staff to seek employment elsewhere.

Calls for immediate government intervention have gone unheeded, say unions. This has led to the launch of today's campaign aimed at reducing workload.

The three unions are hopeful that the campaign, Operation Protect, will raise wider awareness of the issue and the threat posed to the public.

UNISON national officer for police and justice Ben Priestley said: "Probation staff are determined to keep the public safe and rehabilitate those on probation. But overwhelming workloads and staffing shortages have created a dangerous situation, which the government must address."

The joint unions' workloads campaign seeks to:

- work with ministers, HMPPS, His Majesty's Inspectorate of Probation, Probation Institute, sentencers and statutory partners to agree a strategic probation workload reduction programme
- agree a safe workloads and case allocation system
- ensure that all staff have high-quality supervision, when and how they need it, to manage their workloads effectively
- give probation staff the confidence, tools and support to challenge excessive workloads
- reach an employee care agreement with the Probation Service to protect the health, safety and wellbeing of probation staff.

Measuring signs of excessive workload

Making the case to an employer will be strengthened where the union is able to highlight evidence of signs of damage to the organisation. Even if an employer has accepted the case and acted to improve workload issues, measurement of workload must remain an ongoing commitment in order to fulfil their duty to protect the health of staff.

Analysing the symptoms

Signs of an excessive workload on staff will normally become evident in the number of hours worked beyond the contracted terms and the toll it takes on staff. This can be detected in a worsening turnover, increasing sickness absence and poor productivity rates.

Therefore, any evidence that can be collected in these areas can be of great assistance in demonstrating to employers that they have a problem and need to do something about it.

Turnover, vacancy and sickness absence data

Figures on turnover, vacancy and sickness absence are likely to be collected by the employer on a regular basis and negotiators should press for that information to be shared with the union in a way that offers a meaningful breakdown of the data.

In order to highlight where action is most needed by the employer, separate figures are often necessary for particular roles or teams or departments carrying differing demands. For instance, within a waste collection service, the data for waste collectors may tell a very different story to those for administrative staff, or the figures for the organisation in totality.

In some cases, employers may also collect **productivity related data**, such as the number of elderly patients visited per day by home care workers or response times for engineers in a gas company.

Additional hours worked

Data on hours worked in excess of standard contractual hours is likely to be more readily available from the employer in terms of paid hours, but in some cases could also be available for unpaid hours.

For some staff, such as zero hours workers, there may be no standard contractual working week that can act as a benchmark for measuring excess hours, so in this case it may be necessary to assess their average total hours worked. The problems faced by casual or zero hours workers most commonly lie in lack of work or the unpredictability of work patterns, but there are occasions when they face excessive hours as they feel they cannot turn down time offered without facing the consequence of employers punishing them by refusing to offer hours in the future.

Data to collect and review as indicators of workload pressure

The type of data normally collected by an employer may allow for agreement on a set of indicators that can be assessed jointly with the employer on a regular basis as a sign of workload pressures.

Alternatively, the union may seek a set of indicators from employers that it can assess independently.

The table below shows the kind of indicators that could be collected to help assess workload issues if they change over time and how they compare against wider norms.

Indicator	Level in current period	Percentage change on previous period	Comparative national / regional / sector norms
Turnover rate			
Vacancy rate			
Sickness absence rate			
Productivity measures			
Accident incident rate			
Average weekly paid hours worked in excess of contracted hours			
Average weekly unpaid hours worked in excess of contracted hours			
Average weekly hours worked of staff with no contracted hours			

High turnover, high sickness absence and low productivity could of course be caused by a variety of factors other than workload, such as uncompetitive pay rates or bullying in the workplace. Therefore, digging into the reasons behind the figures is also needed to strengthen the case.

Exit interviews

For instance, exit interviews – gathering information from employees that resign – may identify whether the workload was a deciding factor. Questions should include aspects of the leaver’s job description and actual duties, as well as working conditions, relationships with their line manager and colleagues, pay and benefits, and work-life balance.

There needs to be an agreed consistent approach across the organisation when managers undertake exit interviews. If they are to be useful to the employer, they

need to provide an opportunity for the employee's honest opinion on aspects of the work, and ideally it should seek their advice on areas that could be improved.

Comparing against wider norms

Convincing an employer that they have a problem can be aided by highlighting the organisation's figure against the norms for that indicator. These could be the national norms, the norms for the local area, or the norms for the sector in which the employer operates.

Turnover rates

The turnover rate is calculated by taking the number of staff who have left the organisation over a given period (usually a year) and dividing by the average number of staff employed during that period by headcount.

The latest exhaustive [annual survey conducted by XpertHR](#) found the median turnover rate across the economy running at 22.5% in 2022, a considerable increase on the 14.6% recorded in 2021.

In the public sector, the median labour turnover rate is 16.2%.

A slightly more sophisticated version of the turnover rate is the voluntary resignation rate. This figure excludes all those who have left due to factors such as redundancy and retirement, therefore focusing on the most relevant factor - those who are likely to have left as a result of finding a job on better terms. In the public sector, the voluntary resignation rate is 12.7%.

In emphasising the costs of higher turnover rates to employers, it is worth noting that average recruitment costs currently stand at over £2,446 per job, when in-house resourcing time, advertising, agency and search fees or all taken into account⁵.

Vacancy rates

The vacancy rate is calculated simply by taking the number of jobs currently vacant and dividing by the number of jobs at the organisation or in a specific department.

Meanwhile, the Office for National Statistics indicates that the vacancy rate across the economy was running at 3.4% in the three months to April 2023 (a higher level than at any point in the two decades before August 2021). They state that this reflects uncertainty across industries, as survey respondents continue to cite economic pressures as a factor in holding back on recruitment. And inevitably this will impact on the workload for staff.

Sector analysis shows that human health and social work retains one of the highest

⁵ XpertHR, Key Recruitment Metrics Survey 2022 <https://www.xperthr.co.uk/survey-analysis/key-recruitment-trends-2022-xperthr-survey/166556/>

vacancy rates across the economy at 4.5%, while the other sectors most closely aligned with UNISON membership show rates of 2.7% for public administration, 2.6% for education, 4.5% for electricity and gas and 2.9% for water supply.

The highest vacancy rate across the economy is in the traditionally low-paid sector of 'accommodation and food services,' where shortages are reflected in a 5.5% vacancy rate. The acute issues that have been facing the health and social work category are reflected in publications showing that the adult social care sector has a vacancy rate of 10.7% and a turnover rate of 29%⁶, while the NHS displayed a vacancy rate of 8.9% in England at December 2022⁷.

Sickness absence rates

According to the [Office for National Statistics \(ONS\)](#), the [sickness absence rate](#), the percentage of working hours lost because of sickness or injury rose to 2.6% in 2022, an increase of 0.4 percentage points from 2021 and the highest it has been since 2004. This translates as six days' absence per employee. The number of days lost per worker was 5.7 in 2022. As in 2021, workers in caring organisations had one of the highest rates of sickness absence in 2022, at 4.3%, an increase of 0.5 percentage points on 2021.

[XpertHR's latest data on sickness absence](#) reveals a decrease in absence rates as the effects of COVID subside. Yet rates remain high due to lower immunity, high workloads and stress in the workplace. The public sector continues to record the highest levels of absence, with a median sickness absence by percentage of working time of 3.8% equating to 8.7 days' absence per employee. XpertHR found that sickness absence costs employers an average of £643.60 and a median of £645.30 per employee in 2022.

Across UNISON's major bargaining groups, the NHS publishes the highest level of detail on sickness absence rates. Its monthly updates, at <https://digital.nhs.uk/data-and-information/publications/statistical/nhs-sickness-absence-rates>, show rates by occupation, region, organisational type and trust.

Additional hours

TUC analysis for its 19th annual [Work Your Proper Hours Day](#) found 3.5 million people did unpaid overtime in 2022, putting in an average of 7.4 unpaid hours a week. This is equivalent to an average of £7,200 of year in wages and £26 billion in

⁶ Skills for Care, The State of the Adult Social Care Workforce in England, October 2022 <https://www.skillsforcare.org.uk/Adult-Social-Care-Workforce-Data/Workforce-intelligence/publications/national-information/The-state-of-the-adult-social-care-sector-and-workforce-in-England.aspx>

⁷ NHS Digital, NHS Vacancy Statistics England, December 2022 <https://digital.nhs.uk/data-and-information/publications/statistical/nhs-workforce-statistics/december-2022>

free labour for UK employers.

The government claimed £8.6 billion worth of unpaid overtime from public sector staff in 2022 – from an average of more than 8 million hours each week of unpaid overtime in our public services.

The data above sets out some very broad measures that may be useful reference points for an organisation's results, but if you are looking for assistance in uncovering whether there are any more specific rates available as benchmarks for the staff you are representing, please contact UNISON's Bargaining Support Group via bsg@unison.co.uk

Gathering evidence from members

Particularly where an employer is obstructive in sharing data or there is reason to believe that the collected data is not showing a full picture, it may be useful to gather the views and experiences of staff to supplement employer figures.

Working with an employer to develop a survey can improve the chances of employers taking action on the basis of the survey results and can also make it easier to reach a larger proportion of the workforce. However, where the employer is uncooperative, the union may decide to act independently with a survey among its members.

A [model survey](#) that can be adapted to suit local circumstances is available in [appendix 1](#) of this guide. The information collected in this way can provide an indication of the following key issues:

- Perceptions of workload and how it has changed
- Damage to staff health and morale
- Scale of unpaid hours worked
- Reasons for working unpaid hours
- Frequency of staff shortages
- Frequency of working beyond grade
- Level of support from management.

The great advantage of a member survey is that it can be targeted on employee experiences of workload specifically, whereas many dimensions of employer data such as turnover and sickness absence rates can be affected by many other factors than workload.

A survey can also enable assessment of differing experiences of workload for different parts of the workforce, by breaking down responses by factors such as department, occupation, part-time/full-time status, income band, disability, gender, age or ethnicity.

In gathering staff views and experiences, it may also be valuable to use the Safety Representatives and Safety Committees Regulations, which give health and safety reps the right to investigate health and safety matters and conduct at least four workplace inspections a year.

Individual members will also be able to collect and share evidence from:

- their contract of employment. This should specify the hours of work which may not be followed in practice in the workplace.
- their job description. This should list the work they are expected to do.
- their role profile used to evaluate jobs using a job evaluation scheme. There may be nationally agreed role profiles for jobs in a particular sector. These give an indication of the range of tasks and responsibilities the job may have. The profile will be used to determine the correct grade for the job and pay.
- records of unpaid overtime.

Assessing demands on staff

Increasing demands on workers will inevitably increase workload pressures. But it's important to clarify how the demands of jobs are assessed.

Does the employer clearly set out expected outputs from staff such as completing a certain number of tasks a day, call-centre operators answering a specified number of calls, or parking enforcement staff covering a certain distance each day?

Or do other decisions impact on the demands of the job, such as increasing the number of patients per staff member on a hospital ward? Or making budget cuts but expecting services to remain unaltered?

It may be straightforward to track demands on staff if the employer clearly sets out expected outputs from staff. However, expectations may be more informal, in which case discussions with management and staff would be needed to establish the rate of work imposed.

It may also be necessary to turn to approximations for the demands placed on staff, most commonly by tracking staffing levels against any reasonable measure of the volume of services provided. At its crudest level, this can be a comparison of the number of staff employed against the organisation's annual turnover.

However, demands on staff are not solely about the volume of work, but also about the difficulty of the work. The expected demands of a job are usually set out in a job specification, which should detail the kind of work expected of the person fulfilling the role.

Therefore, a staff survey or regular contact with members can begin to detect where staff are being required to consistently take on work in excess of the demands set out in the job specification.

In summary, an indicator of the demands being placed on staff can normally be measured through:

- Productivity targets
- Staffing ratios (e.g. number of staff compared to a measure of demand, such as number of patients or revenue)
- The rating of tasks demanded against those specified in job descriptions.

More information for the education sector:

UNISON Education & Children services – a better work-life balance

www.unison.org.uk/content/uploads/2018/07/25156.pdf

Organising and negotiating to address workload in schools

www.unison.org.uk/content/uploads/2016/07/23964.pdf

Steps to control workload

The appropriate action to be taken will clearly depend on the particular nature of the workload pressures revealed by employer data and staff feedback.

Where it is clear from the evidence collected that staff are working excessive hours, particularly unpaid hours, the following points should be considered:

- Workplace cultures** – Is there an expected pattern of working well beyond contracted hours? Does the employer recognise the detrimental effect of consistently working in excess of contracted hours?

Managers can set the tone for such practices and staff themselves can get into a pattern of matching or surpassing colleagues' long hours out of fear of facing negative judgements by managers and colleagues if they fail to do so. Instead, will the employer encourage staff to raise workload concerns, investigate those concerns and take appropriate action?

Is the employer confident that they are not directly or indirectly discriminating against certain groups of workers with protected characteristics, such as those with caring responsibilities (predominantly still women) or disabled workers, because of a long-hours work culture? Has the employer carried out an equality impact assessment of working practices?

UNISON can encourage affected staff to record their hours worked.

- Employment contracts** – Are employees expected to opt-out of the Working Time Regulations? Do employment contracts contain clauses that allow for working hours as necessary to meet the requirements of the job?

Though such clauses are still constrained by the Working Time Regulations and the demands of health and safety legislation, they are nonetheless a weakness in the ability of the union to control workload, so the union should seek to avoid such contract clauses which allow an open-ended call on staff.

- Working hours and breaks** – Is there a commitment from the employer to monitor working hours arrangements to always ensure compliance with Working Time Regulations (WTR) in terms of limits on working time, gaps between start and finish times, rest breaks and annual leave? Are all staff expected to get the right breaks and to not work beyond contracted hours?

UNISON can remind members of their rights and encourage people to take the breaks they are entitled to.

Does the employer encourage staff to take their full annual leave and plan workloads to maximise the opportunity to take leave?

Branches will need to be vigilant for cases of members signing an WTR opt-out under duress or employers imposing any kind of detriment on workers who refuse to sign.

- Right to disconnect** – Have you surveyed members and staff about the pressure they may feel under to be available outside their normal working hours, particularly through the myriad of ways available to communicate using new technology? Are staff expected to check and respond to messages outside of contracted hours?

There may be exceptional circumstances where it may be reasonable to set this rule aside, but this should be agreed through the union.

Are staff, particularly those who work remotely working longer hours? Working when sick? Working when on leave? What sort of impact does it have on their health and wellbeing?

- Health and safety** – Is there a commitment from the employer to use the Health and Safety Executive indicator tool to identify parts of the organisation where workload pressures are excessive and take action to reduce workload?

Has the employer carried out a health and safety risk assessment that takes account of work-related stress and the impact of always being 'on' for work?

Are health and safety reps consulted over risk assessments? They also have a right to conduct workplace inspections to assess workload risks.

- Productivity targets for the workforce** – Are these realistic or excessive? Will the employer negotiate over the targets set?

In some cases, pressure can be eased by considering whether a wider set of indicators better assess performance. For instance, productivity targets built around the number of visits a home care worker makes per day can fail to take account of the quality of visits. Therefore, rating feedback from patients can temper productivity measures based on crude volumes, if the number of calls required per day are relaxed.

- Management training** – is there an expectation on staff to limit unpaid hours rather than extend them, in all but exceptional circumstances?

Are managers trained to identify where workloads are exerting excessive pressures, take action to reduce or reallocate workloads, as well as work with staff in prioritising demands as part of workload management?

Do they receive training in workforce planning to help address workload surges created by staff shortages?

Managers should also set an example themselves by avoiding persistent hours well in excess of contracted levels.

- Raising issues with line managers** – Encourage UNISON members to speak to their line manager about a workload problem before it gets too serious. Ask the member to think about their job and list their main duties and to prioritise them before their annual appraisals or development reviews. They can then discuss the list with their line manager and seek agreement about what they must do and

what might not get done if there is too much work.

Make sure that members have support by discussing the problem with them and accompanying them to the meeting if they are allowed to take a representative with them.

Follow up the meeting in writing with an email thanking the manager for the meeting and confirming the actions that were agreed.

- Is there an inadequate staffing level?** – Does the employer have a recruitment plan to address this?
- Are staff persistently working beyond their grade?** – Request a review of what staff are being required to do against their job description.
- Collective commitment** - The union may seek to co-ordinate a collective commitment among staff to limit their hours, but the union has to be conscious that any form of what may be considered 'working to rule' is illegal under UK employment legislation without a legal ballot.
- Is workload regularly monitored?** – Will the employer agree to regularly assess data with the union?

Major changes, such as reorganisation, redundancy and introduction of new technology should also be accompanied by a workload review.

Appendix 1 – Model workload survey



Please note that the text in square brackets [...] indicates where you need to complete information specific to your workplace, or else are notes for you to consider in relation to your negotiations.

UNISON [*branch name*] is building up a case to put to [*employer's name*] on the monitoring and control of workloads. In order to ensure our negotiations are firmly based on your experiences and views, we would greatly appreciate if you could spare the time to complete this survey.

The survey covers just 20 questions and would normally take only around seven minutes to complete.

All responses to this questionnaire are anonymous and will be treated as confidential. It will not be possible to identify any individual from information used for assembling the case we put to [*employer's name*].

1. How manageable do you consider your current workload?	
No problem	
Occasionally excessive	
Frequently excessive	
Constantly excessive	

2. How has your workload changed over the last year?	
Decreased	
Remained the same	
Increased	

3. Has your workload caused you stress and anxiety over the last year?	
Never	
Occasionally	
Frequently	
Constantly	

4. Has unmanageable stress caused by your workload resulted in you having to take sick leave over the last year?	
Yes	
No	

5. Has your workload caused a decline in your mental health over the last year, such as through increased anxiety, depression, insomnia etc?	
No	
Yes, slightly	
Yes, greatly	
Prefer not to say	

6. Has your workload caused you to consider looking for another job over the last year?	
Yes	
No	

7. Has your workload affected your morale (e.g. enthusiasm, confidence, optimism) in the workplace over the last year?	
No	
Yes, my morale has improved	
Yes, my morale has declined	

8. Have workload pressures damaged the quality of service delivered in your workplace over the last year?	
No	
Yes, slightly	
Yes, significantly	

9. If you feel that your workload has been excessive at any time over the last year, what do you consider to be the main causes (tick as many boxes as you feel apply)?	
Staff shortages	
Budget cuts	
Unrealistic targets	
Tasks above my job description	
Lack of support from managers	
Long hours working culture	
Unfair and/or discriminatory treatment	

10. On average, how many paid hours (either paid or taken later as 'time off in lieu' – TOIL) do you work above your contracted hours per week?	
None	
Up to two hours	
More than two hours, less the five hours	
More than five hours, less than 10 hours	
More than 10 hours	

11. On average, how many unpaid hours (no pay and no TOIL) do you work above your contracted hours per week?	
None	
Up to two hours	
More than two hours, less the five hours	
More than five hours, less than 10 hours	
More than 10 hours	

12. If you don't have set contracted hours, on average how many hours beyond 37 <i>[amend as appropriate for a full-time worker in your workplace]</i> do you work?	
None	
Up to two hours	
More than two hours, less the five hours	
More than five hours, less than 10 hours	
More than 10 hours	

13. If you regularly work unpaid beyond your contracted hours, what are your reasons (tick as many boxes as you feel apply)?	
Enjoy the work	
Cannot complete the work without doing additional hours	
Feel pressure from managers to do extra hours	
It's standard among colleagues to do extra hours	
Have to cover for staff shortages	

14. How frequently do you fulfil tasks that are more demanding than those defined in your job description?	
Never	
Occasionally	
Frequently	
Constantly	

15. Do you have clear targets set for your work in terms of the volume of work to be completed in a specified time period?	
Yes	
No	
If yes, please state the target <i>[amend or delete this as relevant to your workplace]</i>	

16. If you do have targets set, how have they changed over the last year?	
Increased	
Decreased	
Remained the same	

17. How frequently do you experience staff shortages in your workplace?	
Never	
Occasionally	
Frequently	
Constantly	

18. Do you regularly review your workload with your manager?	
Never	
Occasionally	
Regularly	

19. What income band are you in? <i>[amend income bands as appropriate for your workplace – you may wish to use grades instead of income levels. This is to show if certain types of work suffer from pressurised workloads, perhaps front-line workers as opposed to managers for example.]</i>	
Under £10,000	
Between £10,000 and £19,999	
Between £20,000 and £39,999	
£40,000 or over	

20. In which department do you work?	
<i>[Set out list of appropriate departments as options to choose from]</i>	
Prefer not to say	

Advice on surveys

Surveys can entail some notable pitfalls that can be addressed by observing the following points:

- Try to keep the survey short so that it is not overly demanding on staff time and they are more likely to complete it. As a rough guide, it should take between five and 10 minutes to complete, which means between 10 and 30 questions.
- Requiring answers that are specific reduces the time necessary for analysis. For example, if asking “How would you describe morale?”, requiring responses of High, Moderate or Low will enable you to quickly establish from the results that, for instance, 64% of staff see morale as low. If the answer is left open, responses will have to be analysed one by one to place them in categories and provide usable percentages for a claim.
- However, there can be a place for open-ended questions as they can generate quotes and examples of value to your case. For instance, supplementing a survey with a question such as “In what way has your experience of work changed over the last year?” may give you a telling quote that makes a point more effectively than a page of percentages.
- Profile questions (e.g. question 19 and 20) are normally asked at the end of surveys to enable the results to be broken down according to certain categories, such as pay grade and department. For example, an additional gender question will enable you to see how the workload concerns of women differ from that of men. Similarly you may want to ask if the respondent is disabled to identify if the concern impacts disabled workers more than non-disabled. Therefore, think about how you will want to break down results and establish the profile questions accordingly.
- Ensure that the survey carries a preamble that emphasises to members that the survey is completely anonymous, makes plain the purpose for which the gathered data will be used and tells them approximately how long the survey will take to complete.
- Always make sure that the data you submit to the employer protects your members’ identities.
- The best method for protecting confidentiality and for reducing the time necessary to analyse results is to conduct an online survey. The recommended online survey service is set out below. However, if the survey is sent out to email addresses, care has to be taken that this is compliant with the data protection legislation. Distribution should take place through UNISON’s WARMS system (Web Access RMS), to ensure that the emails used for members are those that they have provided for such purposes to the union.

- Consider alternative ways to gain the benefits of an online survey without the restrictions of email distribution. For instance, you could place the survey link on social media if you are confident that it would be accessed by sufficient staff without notifying emails. Alternatively, you could seek to develop a joint pay survey with the employer (if that did not mean too many compromises on questions asked), which the employer could then distribute to staff.
- If you decide on manually distributing a hard copy survey, ensure that the survey can be returned as confidentially as possible. Like the examples above that do not rely on union email distribution lists, the advantage to this method is that it can go wider than UNISON membership if agreed with any other unions representing staff. In this way, it may both gather a wider section of staff views that carries more weight with the employer and assist in recruiting members by highlighting the role of the union in advancing staff terms and conditions.

Online survey providers

[SurveyMonkey](#) is one of the most widely used online survey services but UNISON now recommends [Alchemer](#).

There is a free version of Alchemer which will handle up to 100 responses. However, the basic paid package allows for unlimited surveys and responses, while allowing for anonymity in those responses. It is possible to sign up for Alchemer here:

<https://www.alchemer.com>

Alchemer pricing starts at £34.56 per month.

The Alchemer support website carries these useful links:

- Tutorials: <https://www.alchemer.com/tutorials/>
- Building accessible surveys: <https://help.alchemer.com/help/how-to-build-accessible-surveys>
- Alchemer Support team: <https://help.alchemer.com/help/alchemer-support-hours>

Alchemer's instructions on how to make voting anonymous are here:

<https://help.alchemer.com/help/anonymous-surveys>

For every Alchemer account that contains UNISON member data, a branch elected official should notify their Regional Head.

If you have any data protection queries in relation to online surveys you are using please contact UNISON's Data Protection Officer at dataprotection@unison.co.uk

Appendix 2 – Model letter seeking discussions on workload



[UNISON branch contact details]

[Date]

***[Name of appropriate manager
Name of organisation
Address]***

Dear

I am writing on behalf of the members of the trade union, UNISON ***[add other unions if the request is being made jointly]*** within ***[the proposed bargaining unit]*** to request a meeting with senior managers to discuss the development of a workload agreement.

Feedback from our members suggest that they have particular concerns about ***[summarise issues highlighted by members such as work-related stress, poor work-life balance, excessive working hours, unpaid overtime, regularly working beyond their job descriptions, unable to 'switch off' etc]*** and feel that a workload agreement is vital for putting in place the mechanisms through which these issues can be regularly reviewed, discussed and resolved.

We believe that the excessive strains placed on staff can be seen in the following trends:

Turnover rates ***[provide details or delete if not appropriate]***

Vacancy rates ***[provide details or delete if not appropriate]***

Sickness absence rates ***[provide details or delete if not appropriate]***

Additional hours worked ***[provide details or delete if not appropriate]***

A workplace survey with union members ***[amend as appropriate]*** additionally highlights the particular impact of an excessive workload on staff:

- Perceptions of workload and how it has changed ***[provide details or delete if not appropriate]***
- Damage to staff health and morale ***[provide details or delete if not appropriate]***

- Scale of unpaid hours worked *[provide details or delete if not appropriate]*
- Reasons for working unpaid hours *[provide details or delete if not appropriate]*
- Frequency of staff shortages *[provide details or delete if not appropriate]*
- Frequency of working beyond grade *[provide details or delete if not appropriate]*
- Level of support from management. *[provide details or delete if not appropriate]*

[NB: ensure that any data or quotes shared from the survey is anonymous and would not inadvertently identify the respondent]

This evidence clearly shows that excessive workloads have a damaging effect on the mental and physical health and wellbeing of the staff, with negative consequences for *[name of employer]* in terms of morale and productivity.

Therefore UNISON would like to request a meeting at the earliest opportunity to discuss the development of a workload agreement setting out the steps that will be taken to monitor workload and address patterns of persistent excessive workload.

We look forward to hearing from you.

Yours sincerely,

Appendix 3 – Model workload agreement



Please note that the text in square brackets [...] indicates where you need to complete information specific to your workplace, or else are notes for you to consider in relation to your negotiations.

WORKLOAD AGREEMENT BETWEEN [NAME OF EMPLOYER] AND [UNISON BRANCH]

1 General principles

- 1.1 Both [*name of employer*] and [*UNISON branch*] recognise that excessive workloads have a damaging effect on the mental and physical health and wellbeing of staff, as well as morale and productivity. As a result it can have a negative impact on services through an increase in turnover and sickness absence.
- 1.2 [*Name of employer*] recognises that staff have the right to reasonable workloads and a fair distribution of work.
- 1.3 To help staff achieve a healthy and sustainable work-life balance, [*name of employer*] recognises that every worker is entitled to switch off or 'disconnect' outside of their normal working hours and enjoy their free time away from work without being disturbed unless there is an emergency or agreement to do so.
- 1.4 This workload agreement sets out the steps that will be taken to monitor workload and address patterns of excessive workload.
- 1.5 Both parties recognise that workloads fluctuate and there are occasions when workload rises above the norm. However, this agreement is intended to deal with persistent excessive workload.

2 Trade Union involvement

- 2.1 Consultation will take place with the recognised trade union on the implementation, development, monitoring and review of this policy and procedure.
- 2.2 Union reps will be given training equal to that of managers and supervisors and sufficient time to carry out their duties.

3 Responsibilities of managers

- 3.1 Line managers should ensure that all workers are aware of this procedure and understand their own and **[name of employer]**s responsibilities.
- 3.2 Line managers should encourage staff to raise workload concerns, investigate those concerns and take appropriate action (see section 5 below).
- 3.3 Line managers should encourage staff to take their full annual leave and plan their workload to maximise the opportunity to take leave.
- 3.4 Line managers are responsible for ensuring that workloads are realistic and achievable and fully take account of issues of overtime, shift working or when working outside normal working hours.
- 3.5 The Head of Human Resources **[amend as appropriate for your workplace]** is responsible for ensuring that managers are supported in the implementation of the policy and that it is reviewed and monitored regularly.

4 Responsibilities of workers

- 4.1 All staff are encouraged to raise workload concerns with their line manager (see section 5 below).
- 4.2 **[Name of employer]** does not expect staff, in normal circumstances, to work more than their contractual working hours or to limit their breaks. All staff are encouraged to take their full rest breaks and annual leave and plan their workload to maximise the opportunity to take breaks and leave.

5 Raising workload concerns

- 5.1 Workers who feel that they have been unfairly or unreasonably treated regarding their working hours (for example being required to work excessive hours, not being permitted to take sufficient rest breaks or being expected to take on additional tasks and responsibilities not included in their job description), should raise this informally with their line manager.
- 5.2 If their concern relates to their manager, the worker can raise this with a more senior manager.
- 5.3 Workers have a right to appeal any decision made about their workload concerns.

- 5.4 This appeal should be made in writing within *[insert time period e.g. 10 working days]*.
- 5.5 The appeal will be heard by another manager (independent from the case).
- 5.6 The worker has the right to be accompanied by their trade union representative or full time official to the appeal meeting.
- 5.7 In the event of failure to agree or dissatisfaction with the outcome of the meeting, the usual grievance procedures should be followed *[provide a link]*.

6 Mechanism for assessing workload

- 6.1 *[Name of employer]* recognises that workplace stress is a health and safety issue and acknowledges the importance of identifying and reducing workplace stressors.
- 6.2 *[Name of employer]* will consult with trade union safety representatives on all proposed action relating to the prevention of workplace stress and workload concerns, and they will be meaningfully involved in any risk assessment process.
- 6.3 *[Name of employer]* will use the [Health and Safety Executive Indicator Tool](#) to identify parts of the organisation where workload pressures are excessive and conduct risk assessments to eliminate stress or control the risks from stress.
- 6.4 Working within the framework of risk assessments required by the Management of Health and Safety at Work Regulations, signs of excessive workload will be jointly assessed with trade union representatives through regular collection and sharing of relevant data.
- 6.5 *[Name of employer]*'s data will be made available on
- turnover rates
 - vacancy rates
 - sickness absence rates
 - accident rates
 - paid hours beyond contracted hours.
- 6.6 These indicators will be broken down by department and occupation to provide the most appropriate basis for any decision made on action.
- 6.7 Turnover data shall show where staff have quoted workload as a reason for leaving and reasons for sickness absence shall also be assessed for signs of workload impact.
- 6.8 This data will be supplemented by a survey of staff on at least an annual basis to identify the following dimensions of workload:

- perceptions of workload and how it has changed
- damage to their health and morale
- scale of unpaid hours worked
- reasons for working unpaid hours
- frequency of staff shortages
- frequency of working beyond grade
- level of support from management.

6.9 A thorough workload review will be conducted on at least an annual basis but there will be a presumption in favour of an additional review following a major organisational change, such as a reorganisation or introduction of new technology.

6.10 A risk assessment will be conducted of any proposals for new technology using the [HSE Stress Management Standards](#), with regular reviews of the risks and consultation with trade union safety representatives. Particular attention will be paid to ensuring that any automated tracking of work and setting of work rates *[if relevant to your workplace]* will be balanced against the health and well-being of the workforce.

7 Actions to address excessive workload

7.1 The appropriate actions to address excessive workload will be linked to the conclusions drawn from monitoring data, as will the set of roles / departments where any action should apply. However, the options for action will include the following:

- Continually monitoring working hours arrangements to always ensure compliance with Working Time Regulations in terms of limits on working time, gaps between start and finish times, rest breaks and annual leave.
- Management training to emphasise managers' role in controlling unpaid hours and preventing operation of a long-hours culture on a consistent basis.
- Management training to identify where workloads are exerting excessive pressures, to take action to reduce or reallocate workloads in a fair and transparent manner, as well as to work with staff in prioritising demands as part of workload management.
- Management training on supporting employees with their workloads and using the appraisal system as a tool to discuss and identify workload issues, as well as how to appropriately manage staff absence.
- Communicating to staff that they have a right to 'switch off' or to

‘disconnect’, i.e. to disengage from work and refrain from in-work related electronic communications, such as emails, telephone calls or messages, outside of normal working hours.

- The use of new technology will not be allowed to infringe workers’ ‘right to disconnect’ from work demands outside contracted working hours or when officially on-call. Other than where expressly agreed with the staff member, line managers will not contact staff outside of their agreed working hours for work-related matters. If staff do receive any form of work-related communication outside of working hours, there is no expectation that they read it or respond until within their working hours
- Review of any productivity targets set for the workforce.
- Review of staffing levels against the demands placed on staff.
- Review of tasks required of staff against their job descriptions.

8 Review and monitoring

- 8.1 **[Name of employer]** will ensure that all new workers, supervisors and managers will receive induction on the policy.
- 8.2 Adequate resources will be made available to fulfil the aims of this policy, including for training and development needs. The policy will be widely promoted, and copies will be freely available and displayed in **[name of employer]**'s offices and through the staff intranet **[amend as appropriate to your workplace]**.
- 8.3 This policy and its procedure will be reviewed jointly by unions and management, on a regular basis.

9 Signatories

This agreement comes into force on:

Date:.....

This agreement will be reviewed on:

Date:.....

SIGNED for **[Employer’s name]**

DATE

SIGNED for **[UNISON Branch]**

DATE