

Out with 9 to 5, in with 24/7

Does the always-on work culture – especially while remote working – liberate you from the 9 to 5, or shackle you permanently to your job?

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Prior to COVID-19, in 2019, 400,000 people in the UK reported work-related stress at a level they believed made them ill. As such it is unsurprising to find a correlating upward trend in absence levels and grievances.

This trend reflects many factors, but one contributory factor could be changes in technology. According to Dr Alasdair Emslie¹ this: “makes employees feel they are unable to cope with increased demands or have less control handling their workload.” Technology has helped to create our always-on culture, where managers and employees do not disconnect from work and are available 24/7.

COVID-19 has seen dining tables and kitchen worktops, spare rooms and conservatories become workspaces, as employers try to minimise the risk of their employees' exposure from the virus in offices or on packed public transport. Laptops, mobile phones and other devices, Zoom, Teams and other platforms, are the basis for a new norm of working from home; for those who can.

Far from being a cornerstone of achieving the elusive work/life balance, working from home during the pandemic has become a huge part of the always-on culture that is recognised as a source of mental and physical illness. Add to this COVID-19 anxiety, including; financial, isolation, health concerns, missing friends and family, and juggling childcare, organisations must consider and assess the risks posed by the likelihood of increased work-related stress during these unprecedented times and into a new working future.

Obligations and responsibilities

Organisations are required to take reasonable steps to ensure their staff, wherever they are working, are not exposed to the risk of mental ill health by their employment. They must comply with Section 2 of the Health and Safety at Work Act 1974.

This means employers are required to assess the risk of work-related stress and take steps to minimise or eliminate the risk so far as is reasonably practicable. Most organisations will already have a work-related stress risk assessment. Now is the time to review it in light of the changes to working practices caused by COVID-19. Failure to do so is likely to expose the organisation to financial and reputational risk.

In the case of *Yapp v FCO* 2014, the Court of Appeal confirmed that an employer will only be held liable for an employee's work-related mental ill health, where it is reasonably foreseeable that the employer's actions may cause injury. Where an employee has been absent from work for stress or anxiety caused by work, it is more likely that an organisation will be deemed to be on notice of the ongoing risk for that employee on their return to work.

As such if the organisation fails to implement reasonable steps to reduce or remove the risk, it will be liable for the psychological harm caused by their failure to act.

However, the courts have shifted, and employers also need to be aware of other potential indicators of mental ill health like; tears, erratic behaviour, and absence due to personal rather than work-related matters. Where an employee shows mental ill health, whether caused by work pressures or not, employers will be required to make reasonable adjustments pursuant to the Equality Act 2010. However, research shows that employees do not want to talk about stress at work with their managers or colleagues. So how can employees be protected when the always-on culture promotes presenteeism, where employees may continue to battle on, despite increasing mental ill health?

Organisations have to be on the alert, but they are entitled to assume their employees are robust and can cope with the ordinary pressures of the job. Employers are obligated to assess the known risks and to take reasonable steps to reduce or remove those risks. The Health & Safety Executive (HSE) has issued a reminder of their Talking toolkit³ in light of the anxiety caused by COVID-19 and the impact of the pandemic on working practices.

Emma Hughes is the Head of HR Services at Browne Jacobson and has been using various resources to advise her clients. The Chartered Institute of Personnel and Development (CIPD)⁴, the professional association for human resources, as well as other organisations, have put together tips to help individuals and line managers with remote working. Below are the best ideas Emma has found.

What you can do to help yourself:

- **Know when to step away from your desk** – be clear about when your working day begins and ends and take breaks to refresh. When work is over, be sure you switch off to avoid burnout. Cultivate healthy habits such as taking exercise and fresh air every day.
- **Discourage presenteeism** - working when you shouldn't be - if you're unwell take sick leave and do your best to give an update or handover on urgent work. Take your holiday!
- **Create a designated workspace** - separate space for yourself to work in, somewhere you can focus on tasks without being distracted and set up with everything you need for a normal working day.
- **Get dressed** - changing into work clothes will help you mentally switch to productive work mode. It will also help you distinguish between 'homeworking' and 'home life'.
- **Stay in conversation** - contribute regularly to team chats/group emails so you don't drop off the radar.
- **Ask about what people are working on** and share what's on your plate. Being physically separated means you miss important water-cooler moments, so stay connected and informed.
- **Foster relationships** - make time for non-work chats as you would in the workplace, and use video calling as virtual face-to-face contact.
- **Ask for support when needed** - speak out when you need assistance, further training or support. You, your manager and colleagues are part of a team and should be supporting one other.

What you can do as a line manager:

- **Put safety first** - conduct electronic risk assessments with your staff to ensure their home workspace is suitable. Make sure all staff know about your health and safety policies. If you supply equipment it must pass relevant safety tests.
- **Discourage presenteeism** - as a manager or team leader, encourage people to take time off if unwell, take off holidays, and model the behaviour yourself.
- **Encourage staff to establish a work routine** - if this doesn't need to be rigid, give as much flexibility as possible to allow people to manage childcare, home schooling, caring and other personal demands of lockdown. Think about agreeing core hours with the people you work with.
- **Minimise stress** - set clear expectations about the way staff should deliver and receive communications throughout the working day, for example keep it within the core hours. This will help alleviate pressure and anxiety.
- **Offer support on wellbeing** - organisations should remind staff of their existing health and well-being benefits (such as employee assistance programmes or occupational health) and how to access them remotely.
- **Don't call or video call unexpectedly** - agree times for catch ups.
- **Share experiences** - people are grappling with new and difficult boundary issues. Staff will need time to reflect on this and deal with the emotional impact. Encouraging staff to share their experiences will provide the opportunity of peer-to-peer support.
- **Set expectations and trust your team** - be clear about mutual expectations and trust your team to get on without micromanaging. Focus on results rather than time spent and activity.
- **Schedule virtual huddles** - this is essential for keeping connected as a team, to check in on each other's well-being and keep workflow on track. It needn't be long, but regularity is key.
- **Be kind** - remote conversations can easily be misinterpreted as it's harder to read body language, tone of voice and other visual and audio cues. Stay mindful of this when delivering difficult messages or feedback. Challenging times call for greater sensitivity and kindness.
- **Help foster relationships and wellbeing** - make time for social conversations. This increases rapport and eases communication between people who may not meet often. It also reduces feelings of isolation.

It's of rising concern that behaviours and environments needed to curtail the spread of COVID-19 are known risk factors for mental health difficulties⁵, from isolation anxiety, to triggering prior mental health issues. Although mental health awareness is a priority, the increased pressure on already stretched public service resources may lead to increased psychological impacts on employees and volunteers working hard to deliver support to their communities.

UK research in 2019 produced startling data:

Managers

- 87% admit to having their phone on them outside of office hours.
- 62% do not take their full annual leave.
- 32% work while on holiday.
- 44% have not had training to have conversations with staff about stress.

Employees

- 20% are contactable by clients/colleagues while on holiday.
- 11% cancel leave due to work.
- 47% feel stress but do not take sick leave.

All

- 64% have taken a day for stress but have not recorded absence as related to stress.
- Only 14% will speak to a medical professional.
- 14% turn to alcohol as a coping mechanism.
- 62% report physical symptoms of stress.

An always-on culture in the workplace can be toxic for mental and physical wellbeing according to Dr P Mills, Cigna Medical².

Out with 9 to 5, in with 24/7 was published in August 2020 stronger, ALARM's member journal. ALARM is a membership organisation run by members, for members, supporting risk professionals that support our communities and citizens. For more information, please visit alarmrisk.com.

References

¹BBC News

²CIGNA360 Wellbeing Survey 2019

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