

PRESS RELEASE

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Q. In April 2008, a company we share premises with appointed a new manager who isn't popular with colleagues and has been absent five times, allegedly suffering from stress. The company suggested she seek a less taxing, maybe part-time job. She says the company is at fault and has threatened legal action. What should my company do to avoid this situation?

A. Stress-related illness leads to more compensation claims by employees against their employers than any other type of injury at work - not bad backs, as was once thought – and since the case of *Dickins v O2 plc* in 2008, it has been easier for employees to establish their claims.



In that case, Mrs Dickins was promoted but a few months later told her manager that she was under stress and did not know how much longer she could cope. Her employer referred her to a confidential helpline but did nothing to change her working arrangements. A short time later, she went off sick with stress and eventually, sued her employer for compensation for psychiatric injury.

The Court found that offering counselling alone was not enough; that O2 had been made aware of the risk that she would become ill if nothing was done to relieve her stress, but had failed to act. Dickins was awarded compensation of £110,000.

Businesses should have insurance in place to cover such claims but even if you have insurance, you face a hefty excess, you risk your business reputation and

more importantly, you risk the health of your employees if you do not act appropriately.

All employers should have more than just a policy for dealing with stress at work - they need to know how to spot the signs of stress and they must act appropriately when stress is identified.

The HSE website contains some helpful guidance on tackling stress in the workplace.

www.hse.gov.uk

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