

Mental Health & Wellbeing at the Bar

Outer Temple Wellbeing
Policy Example



Wellbeing
at the Bar

Case Study: Outer Temple Wellbeing Policy

Health and Wellbeing Policy

1. Chambers aspires to be an “Employer of Choice” and aims to encourage and facilitate working practices and services that support the health and wellbeing of all staff, pupils and barristers.

2. Work can have a positive impact on our health and wellbeing. Healthy and well motivated barristers and staff members can have an equally positive impact on the productivity and effectiveness of Chambers. Fostering a working environment that protects the physical and mental wellbeing of its people is good for Chambers’ business.

3. Responsibility for health and wellbeing at work belongs to everyone in Chambers. Factors that can influence whether people will have a positive or negative relationship with work include:

- a. relationships between staff and barristers, and between workgroups and departments
- b. relationships between line managers and other staff
- c. whether staff and barristers feel involved in organisational issues and decisions
- d. scope of job scope of barristerial practice
- e. income to meet more than just basic needs
- f. availability and acceptability of flexible working
- g. awareness of occupational health issues and whether they are taken seriously
- h. whether the principles of fairness, equality and diversity are experienced in the workplace.

4. This policy provides a framework within which Chambers encourages and facilitates working practices and services that support wellbeing. It aims to draw upon good practice, recognising informal support arrangements particularly among barristers, and to be flexible rather than prescriptive.

Investor in People

5. Outer Temple Chambers is an accredited Investor in People and it aims at all times to observe and promote best practice in people management. This means that we aim to ensure that people in Chambers understand what we’re about and what we stand for and there’s a connection of purpose. It also means that within Chambers individuals have some sense of autonomy and voice and feel supported by colleagues and managers right to the top of the organisation.

6. As part of this commitment Chambers invests in mentoring, coaching and training to provide:

- a. managers with the skills to manage people, practice development, and the business as a whole
- b. other staff members with new knowledge and skills to develop their roles, maintain their interest and expand their horizons, and utilise new systems and technologies with confidence
- c. pupils and junior tenants with support and guidance from more senior members
- d. greater awareness of equality and diversity including disability and mental health issues
- e. professional development for barristers relevant to their area of work
- f. awareness of the signs of stress in ourselves and in others.

Work-Life Balance

7. Because barristers in Chambers are self-employed there is an assumption that they have control of their work-life balance. However, the very fact of being self-employed can add pressures that are not experienced by employees. The desire to maintain a busy practice and to keep clerks and solicitors happy can result in taking on too much work. This can seriously upset work-life balance and may lead to unhealthy work-related stress.

8. Pupils and barristers displaying more than occasional cognitive, emotional, physical or behavioural symptoms of stress and which give rise to concerns by colleagues or senior staff will be invited, in the first instance, to meet with business development directors, or the (commercial) director or head of pupillage, to discuss their workload and the management of their practice.

9. At any time, pupils and barristers can arrange to see one of the directors or business development directors if they feel a need to rebalance their practice for whatever reason.

10. The Chambers Constitution states:

A Member is not obliged to devote his or her whole working time to practice at the Bar, to conduct that practice in such a way as to maximise earnings, or to account to Chambers funds or to any Member or Members in any way for his or her earnings in any other occupation, whether in a part-time judicial post or otherwise.

11. Pupils are not expected to average more than 40 hours of work per week and are expected to take 20 days holiday leave. Pupils should avoid falling into the trap of thinking that they will impress supervisors if they work very long hours. It is important that pupil supervisors are alert to the signs of stress and intervene at an early stage where possible.

12. Staff should inform their line manager at an early stage if they are finding their work commitments too demanding, even if the reasons for their difficulties are external to Chambers.

13. There is substantial evidence that a flexible approach to working patterns can have significant organisational benefits, including reduced absenteeism, improved morale and greater productivity. There are many different ways of structuring working patterns and Chambers will consider requests from staff members for part-time working; flexible working hours; compressed working hours; annualised hours; job sharing; working at or from home. See Section 5 of the manual for further information.

Mental wellbeing

14. Mental ill health and stress are associated with many of the leading causes of disease and disability in our society. Promoting and protecting the mental wellbeing of people in Chambers is important for individuals' physical health, social wellbeing and productivity.

15. Mental wellbeing in the workplace is relevant to all and everyone has a responsibility to contribute to improved mental wellbeing at work. Addressing workplace mental wellbeing can help strengthen the positive, protective factors of employment, reduce risk factors for mental ill health and improve general health. It can also help promote the employment of people who have experienced mental health problems, and support them once they are at work.

16. Important aspects of mental health and wellbeing includes providing information and raising awareness, management skills to deal with issues around mental health and stress effectively, providing a supportive work environment, offering assistance, advice and support to anyone experiencing a mental health problem or returning to Chambers after a period of absence due to mental health problems.

17. Chambers is a signatory to the Charter for Employers who are Positive about Mental Health. We recognise that with the right support people with a mental health condition can and do stay in work. See mindfulemployer.net

Other policies

18. This policy is complementary to established policies including:

- a. health & safety, grievance, disciplinary, sickness and capability policies
- b. E&D, anti-harassment and anti-bullying, and whistle-blowing policies
- c. maternity, paternity, adoption and primary carer policy
- d. guaranteed earnings scheme for junior tenants, devilling policy, training policies
- e. sabbatical and extended leave policy

Other action to support health and well-being

19. Chambers organises training every year to build awareness of health and wellbeing. This can include topics such as: difference and diversity, support and mentoring, disability and mental health awareness, stress management, time management, teamwork, dealing with difficult people.

20. Chambers is authorised to use the “two ticks” symbol which means that we are recognised as an employer which is ‘positive about disabled people’. We encourage applicants with a disability to apply to us for advertised vacancies and we undertake to interview all applicants who meet the minimum criteria for appointment.

21. Chambers is an accredited Living Wage Employer.

22. Chambers has worked, and will continue to work, with Access to Work to provide suitable desks, chairs, equipment and software for people with temporary and permanent disabilities.

23. Chambers has negotiated a private health care plan on favourable rates to individual barristers, and for members of staff after twelve months employment.

Objectives

24. To develop a supportive culture, address factors that may negatively affect mental wellbeing, and to develop management skills we will:

- a. reduce discrimination and stigma by increasing awareness and understanding of all forms of disability
- b. give employees information on, and increase their awareness of, mental wellbeing
- c. give non-judgemental and proactive support to individual staff, pupils and barristers that experience mental health problems
- d. include information about our wellbeing policy in induction sessions
- e. provide opportunities for staff, pupils and barristers to look after their mental wellbeing, for example through physical activity, stress reducing activities and social events
- f. offer staff flexible working arrangements and encourage barristers and pupils to have a good work-life balance
- g. set employees realistic targets that do not require them to work unreasonable hours
- h. ensure all staff have clearly defined job descriptions, objectives and responsibilities and provide them with good management support, appropriate training and adequate resources to do their job
- i. manage conflict effectively and ensure the workplace is free from bullying and harassment, discrimination and racism

- j. establish good two-way communication to ensure staff participation.

25. To provide support for staff, pupils and barristers experiencing mental health difficulties, we will:

- a. ensure individuals suffering from mental health problems are treated fairly and consistently
- b. clearly communicate to colleagues who are able to support when the symptoms of stress become apparent to prevent further stress
- c. ensure individuals are aware of the support that can be offered through occupational health or their own GP
- d. in cases of long-term sickness absence, put in place, where possible, a graduated return to work or practice
- e. make every effort to identify suitable alternative employment or practice, in consultation with the individual, where a return to the same role is not possible due to identified risks or other factors
- f. treat all matters relating to individuals and their mental health problems in the strictest confidence and share on a 'need to know' basis only with consent from the individual concerned.

26. To demonstrate a positive and enabling attitude to employees and job applicants with mental health issues we will:

- a. have positive statements in recruitment adverts and/or literature
- b. ensure that all staff and barristers involved in recruitment and selection are briefed on mental health issues and the Equality Act, and are trained in appropriate interview skills.
- c. not make assumptions that a person with a mental health problem will be more vulnerable to workplace stress or take more time off than any other employee or job applicant
- d. ensure all line managers have information and training about managing mental health in the workplace
- e. recognise that workplace stress is a health and safety issue
- f. ask about health and wellbeing in exit interviews to help identify factors that may cause stress.

Communications & Review

27. All barristers, pupils and staff will be made aware of the wellbeing policy. This will be part of a health at work approach which will be emphasised at induction sessions.

28. The (commercial) director will be responsible for reviewing the wellbeing policy and for monitoring how effectively the policy meets its aims and objectives.