



## Supporting the mental health and wellbeing of employees

19 April 2023

LawCare's [Life in the Law](https://www.lawcare.org.uk/life-in-the-law/) report covering 2020/21 found that 69% of legal professionals experienced mental ill-health in the year preceding their research. They also found that legal professionals are at a high risk of burnout.

In a separate report into [men's mental health](https://www.lawcare.org.uk/media/y5joke1k/lawcare-men-s-mental-health-focus-group-july-2022.pdf), LawCare found that male lawyers can experience unique barriers especially in relation to support seeking.

So there is more that firms need to do to consider the mental health of their employees.

If a mental health condition has a long-term effect on a person's day-to-day activities, it is considered a disability under the Equality Act. Not providing workplace adjustments for mental health conditions could amount to discrimination.

Read more in the resources we have on [disability inclusion](https://indemnity.sra.org.uk/solicitors/resources/equality-diversity/disability-inclusion/).

It is important we go beyond legal requirements to create inclusive workplaces which understand and support mental health issues and prevent burnout.

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### **Our support and guidance**

We can provide reasonable adjustments and signpost to sources of support for people who experience ill health while they are being investigated by us. Or if they are struggling to manage their practice. Find more information in the [Your health, your career](https://indemnity.sra.org.uk/solicitors/resources-archived/your-health-your-career/) section.

We also provide guidance and good practice for law firms in our [thematic review of workplace culture](https://indemnity.sra.org.uk/sra/research-publications/workplace-culture-thematic-review/). A poor culture not only affects personal wellbeing but also ethical behaviour, competence and ultimately the standard of service received by clients.

In that review we examined how firms support people in managing workloads, reporting mistakes, recognising performance and supporting



mental health concerns. We found that healthy workplaces have lower staff turnover, help to attract new talent and create a better client experience. This was as well as helping to prevent and manage the mental health and wellbeing of staff.

Alongside the workplace culture review we produced guidance about the [workplace environment](https://indemnity.sra.org.uk/solicitors/guidance/workplace-environment/) [https://indemnity.sra.org.uk/solicitors/guidance/workplace-environment/] to help firms understand their obligations and how to comply with them.

## **Supportive working environment - examples**

We want to help law firms create a healthy workplace which supports and understands mental health issues.

Here we have summarised some best practice tips and case studies from a range of sources, including:

- [Workplace culture thematic review](https://indemnity.sra.org.uk/sra/research-publications/workplace-culture-thematic-review/) [https://indemnity.sra.org.uk/sra/research-publications/workplace-culture-thematic-review/]
- [Workplace environment guidance](https://indemnity.sra.org.uk/solicitors/guidance/workplace-environment/) [https://indemnity.sra.org.uk/solicitors/guidance/workplace-environment/]
- [Disability good practice report](https://indemnity.sra.org.uk/sra/research-publications/disability-workplace/) [https://indemnity.sra.org.uk/sra/research-publications/disability-workplace/]
- [Life in the Law report](https://www.lawcare.org.uk/life-in-the-law/) [https://www.lawcare.org.uk/life-in-the-law/] (LawCare).

## **Promote and provide support**

- Provide a combination of formal and informal support for staff. In our [thematic review](https://indemnity.sra.org.uk/sra/research-publications/workplace-culture-thematic-review/) [https://indemnity.sra.org.uk/sra/research-publications/workplace-culture-thematic-review/] many firms mentioned group calls to check wellbeing, catch-ups with managers and approachable partners. They also mentioned formal support such as mental health first aiders or access to services that provide counselling. And making sure these opportunities are not lost during remote working.
- Make firm-wide training available to support managers to have supportive conversations in the workplace around mental health. Provide them with the skills to spot the signs of mental ill-health and provide effective one-to-one support.
- Challenge the stigma that can be associated with mental ill-health and reassure people there will not be any negative consequences for disclosing it. A small number of solicitors in our review were not comfortable admitting stress fearing they would be perceived as weak.
- Show your commitment to mental health inclusion through awareness campaigns and encourage the involvement of senior leaders. In our thematic review we found that senior leaders who



shared their stories sent a powerful message that no-one is immune to mental ill-health.

- [LawCare's Life in the Law](https://www.lawcare.org.uk/life-in-the-law/) [https://www.lawcare.org.uk/life-in-the-law/] report recommends providing a wellbeing toolkit available for all employees so that they can choose which measure will be most useful to them (2021, p53).

## **Prevent and reduce burnout**

- The [Life in the Law](https://www.lawcare.org.uk/life-in-the-law/) [https://www.lawcare.org.uk/life-in-the-law/] report recommends providing a psychologically safe environment that allows employees to feel comfortable speaking openly about concerns and mistakes. And to have the support to do so (2021, p27). Examples of [best practice](https://indemnity.sra.org.uk/sra/research-publications/workplace-culture-thematic-review/) [https://indemnity.sra.org.uk/sra/research-publications/workplace-culture-thematic-review/] we found included working together with employees to resolve issues and senior leaders sharing stories of their own mistakes.
- Provide staff with the ability to work autonomously but monitor their workload. Ensure people feel they have a predictable and manageable workload and are involved in decisions about their work. The report also suggests that even if a person is able to work autonomously, and felt psychologically safe, if high work intensity remained, so did risk of burnout (2021, p29-32).
- Consider schemes to create a healthy workplace culture. [The Mindful Business Charter](https://www.mindfulbusinesscharter.com/) [https://www.mindfulbusinesscharter.com/] ensures businesses commit to small but meaningful actions. This could include avoiding over-use of emails and respecting rest periods. Our workplace culture review found that this can show employees and clients the firm's commitment to wellbeing.
- Consider alternatives to billable hours. [LawCare](https://www.lawcare.org.uk/life-in-the-law/) [https://www.lawcare.org.uk/life-in-the-law/] suggests that billable hours can have a negative effect on employees' mental health. And our review found that billable hours is an aspect of workplace culture that respondents most wanted to improve. Ask your employees what matters to them when measuring success and reward and recognise non-financial achievements such as teamwork.

## **Implement good controls and monitoring practices**

- Develop a wellbeing strategy which includes objectives, actions, core values and expectations. Invite employees to help with its design and ensure it is a living document open to feedback and change.
- Seek regular feedback about workplace measures. Set up a staff wellbeing group and involve them in the development of provisions. The LawCare [Life in the Law](https://www.lawcare.org.uk/life-in-the-law/) [https://www.lawcare.org.uk/life-in-the-law/] data displayed a disparity between the provision of workplace measures for wellbeing and the way in which they were experienced by employees (2021, p.54).



- Firms we spoke to for our thematic review used pulse surveys to score levels of happiness, track trends and identify risks.

## **Offer staff a healthy work-life balance**

- Senior leaders should role model healthy working patterns. In [our workplace review](https://indemnity.sra.org.uk/sra/research-publications/workplace-culture-thematic-review/1) [https://indemnity.sra.org.uk/sra/research-publications/workplace-culture-thematic-review/1] we found that most respondents were expected to respond to clients outside office hours. Manage client demands and set out joint expectations around working hours while ensuring there is support from a partner.
- Allow space for home or remote working to alleviate risk of burnout. [Life in the Law](https://www.lawcare.org.uk/files/LawCare-LifeInTheLaw-Final-report.pdf) [https://www.lawcare.org.uk/files/LawCare-LifeInTheLaw-Final-report.pdf] reported that working from home had brought about positive change, including increased flexibility, time with family and less hours spent commuting (2021, p. 67).
- Encourage employees to take regular breaks and holidays.

## **Best practice in law firms - examples**

### **Raising mental health awareness and supporting staff**

[Ellis Jones Solicitors](https://www.ellisjones.co.uk/) [https://www.ellisjones.co.uk/] recognises the legal profession can be extremely pressured when dealing with clients and colleagues at very stressful times in their lives. They are therefore committed to raising awareness about mental health and supporting their staff.

It has raised awareness among staff by promoting World Mental Health Day and invited staff to share experiences through the monthly staff newsletter. It has also highlighted the help available to staff, for example from LawCare, and put up mental health and wellbeing information around offices to raise awareness.

Processes have been put in place to monitor sickness absences and support staff on their return to work. Finally, managers and staff have been trained on mental health wellbeing.

The firm is now working towards training mental health first aiders in all its offices.

### **Management commitment to reduce stigma**

[Kuits](https://www.kuits.com/) [https://www.kuits.com/] has an inclusive approach and supports a culture where people feel they can be open and be the best they can be. In 2019, the firm was named Regional Employer of the Year across all sectors by the British Chambers of Commerce. It was also shortlisted for a national corporate culture award.



It signed up to the employer Time to Change Pledge and set out several actions, including how it would achieve and demonstrate senior level buy-in

When launching this, team members were invited to witness the management team publicly sign a pledge board. This showcases their aims to promote mental wellness within the business and create a supportive and safe environment to reduce the stigma associated with mental health issues.

The firm also trained all their line managers on mental health awareness. Its 11 wellbeing champions receive additional training to help them support colleagues who may feel in need of peer support.

### **Encouraging staff to open up about how they feel**

[Shoosmiths](https://www.shoosmiths.co.uk/) [https://www.shoosmiths.co.uk/] recognises the importance of having a diverse workforce. It fosters an inclusive culture where colleagues feel valued and able to perform to the best of their abilities.

The aim is to create a workplace free from mental health stigma by signing the Time to Change Pledge. It also set up a national network of mental health and wellbeing champions tasked with raising awareness and endorsing positive mental health.

To improve line manager support a mental health and wellbeing policy and line manager guidance tools were introduced. And so that staff can support themselves, they developed dedicated mental health intranet pages with information and support resources and launched a mindfulness course.

The firm also worked with occupational psychologists to understand the level of emotional engagement, wellbeing and resilience by employees.

Shoosmith's next steps include continuing to move forward with its mental health initiatives. This includes encouraging senior staff to share their personal mental health experiences and rolling out a course for colleagues to develop their own 'My wellbeing' strategy.

### **Further resources**

[Your health, your career](https://indemnity.sra.org.uk/solicitors/resources-archived/your-health-your-career/) [https://indemnity.sra.org.uk/solicitors/resources-archived/your-health-your-career/]

[Workplace Culture Thematic Review](https://indemnity.sra.org.uk/sra/research-publications/workplace-culture-thematic-review/) [https://indemnity.sra.org.uk/sra/research-publications/workplace-culture-thematic-review/]

[Workplace Guidance](https://indemnity.sra.org.uk/solicitors/guidance/workplace-environment/) [https://indemnity.sra.org.uk/solicitors/guidance/workplace-environment/]

[Life in the Law report \[https://www.lawcare.org.uk/life-in-the-law/\]](https://www.lawcare.org.uk/life-in-the-law/) (LawCare)

[Men's mental health \[https://www.lawcare.org.uk/latest-news/men-s-mental-health/\]](https://www.lawcare.org.uk/latest-news/men-s-mental-health/) (LawCare)

[Mindful Business Charter \[https://www.mindfulbusinesscharter.com/\]](https://www.mindfulbusinesscharter.com/)

[Stress and mental health \[https://www.lawcare.org.uk/latest-news/men-s-mental-health/\]](https://www.lawcare.org.uk/latest-news/men-s-mental-health/) (The Law Society)

[ACAS Guidance – Reasonable adjustments for mental health \[https://www.acas.org.uk/reasonable-adjustments-for-mental-health\]](https://www.acas.org.uk/reasonable-adjustments-for-mental-health)