



WELLBEING AT THE BAR: CERTIFICATE PROGRAMME CRITERIA AND GUIDANCE - JANUARY 2023

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Foreword

Five years into the Wellbeing at the Bar programme, efforts to support barristers' and employees' wellbeing through the Pandemic and beyond have highlighted just how far we have come. The place of 'Wellbeing' in our work culture and our understanding of it has also changed. It is, rightly, no longer seen as a luxury but instead an essential element in any modern workplace and thus in our standing as a profession.

Changing attitudes at the Bar and in society as well as scientific research and our own day to day experience indicate that good workplace behaviours (not just the absence of poor ones) as well as thoughtful and deliberate career and practice support not only enhance work satisfaction and mental health but also drive diversity and retention.

A healthy and diverse Bar leads to better outcomes for our clients and increased public confidence, not least among those whom we hope to attract into the profession at the pupillage stage and who will become our future. That is, for me, why Wellbeing matters, and why I believe we must look to create dynamic systems within our organizations to protect and promote it. We must, too, provide transparency about how we implement the values and standards we espouse.

We are re-launching the scheme to mark this progress as well as to meet new challenges. Our 2021 [wellbeing research](#) reveals Barristers are under increased pressure to meet unsustainable demands, so we have included practice management in the new scheme. Focus groups from our 'Kindness Project' collaboration with the University of Sussex highlighted the importance of leadership in promoting positive workplace behaviours, and especially in supporting juniors, so we ask organisations to identify how that will be provided and have embedded mentoring in the criteria.

Promoting Wellbeing should not become a burden in itself. We recognise that administrative resources differ between organisations as do their circumstances and Certificate assessment will reflect this. There is no 'model' application, nor a set way in which evidence may be provided: we want you to be successful and will assist where we can. Help is available within the guide itself or from the Bar Council team equality@barcouncil.org.uk

My hope is that more Chambers than ever will choose to apply for the new Certificates, showcasing the many creative initiatives already in place and affirming our commitment as a profession to creating a culture in which all can thrive. I look forward to sharing the results.

Nicola Shannon

Chair Wellbeing at the Bar Working Group (2023)

Introduction

A new Certificates of Recognition is more difficult to secure than previous Certificates. It is only right that securing a Certificate should require effort. The aim of this Certificate programme is to challenge chambers, and bar-based organisations, to do more to support their members and staff. In doing so, we do recognise different organisations are in very different positions and Certificate assessment will reflect this.

We expect those larger organisations with more management resource will take a different approach to the smaller organisations.

We recognise competing asks of bar-based organisations. However, we do not see wellbeing as a standalone initiative. Work/life balance and the working environment all play a key role in individual wellbeing, and for this reason certificate applicants will be asked about activity such as practice management in order to successfully secure a new Certificate. Those who secure a certificate will be able to demonstrate how they have embedded wellbeing principles into 'business as usual.'

Please don't be put off by our ask for evidence, we hope reviewing your activity on this basis will actually help you to determine what is and isn't working – what you need to do more of and what adds no value.

If you need help in making your application, check our handy tips and resources section at the end of this guide. Please also contact the team at Bar Council equality@barcouncil.org.uk for further assistance.

Background

The Wellbeing at the Bar's Wellbeing *Recognition Certificates* were introduced in 2017. In the period 2017-2022, 77 organisations were successfully granted a certificate.

In Spring 2022, the Wellbeing at the Bar Working Group, which is made up of representatives of the Inns, Circuits and Specialist Bar Associations, decided it was time to refresh the Recognition Certificate programme. In doing so, we:

- (i) looked at other wellbeing related certification;
- (ii) looked at the drivers of wellbeing as identified in our [Wellbeing Research](#) 2021;
and
- (iii) considered what was appropriate for the Bar.

There has been a huge amount of work and commitment to wellbeing right across the Bar since the Wellbeing at the Bar programme was launched in 2017. The Certificate programme enables us to celebrate all the work you have been doing, and hopefully encourage others.

By applying for a certificate, you not only message your own commitment to wellbeing to your members, staff, prospective pupils, members, and employees, but also your clients. You also support others looking to improve their approach to wellbeing by sharing your experiences, lessons learned and tips.

We are grateful for your commitment and support.

New Wellbeing Award

Linked to the Certificate programme, as of April 2023, we will nominate the three best submissions for a certificate in any calendar year and award an outstanding contribution to wellbeing award.

Summary of Changes

OLD	NEW
Not time limited	Expires 3 years after awarded
<p>Met one of following criteria:</p> <ul style="list-style-type: none"> a) That they have a wellbeing policy; or b) Have taken steps to increase awareness of wellbeing; or c) Have offered resilience training schemes e.g., mentoring, or coaching schemes; or d) Promote (and offer) wellbeing initiatives e.g., yoga or mindfulness sessions or sponsored runs etc. 	<p>Must meet all of the following criteria:</p> <ul style="list-style-type: none"> a) Chambers can provide evidence to demonstrate that (a) their members feel supported in chambers and that (b) wellbeing initiatives have had a positive effect. b) All pupils and barristers have either a mentor or someone they can go to for support in confidence. c) There are a range of wellbeing initiatives in place to support the needs of different identified groups. d) Practice management meetings are in place and the framework for practice management includes consideration of wellbeing. e) Wellbeing is embedded in chambers at a senior level and championed by senior members. f) Bullying and harassment issues are tackled quickly and effectively g) Support is provided and easily accessed by members who are struggling. h) Chambers can demonstrate that they have effective wellbeing and equality, diversity, and inclusion policies (that go beyond the mandatory minimum required by the BSB).
Certificate based on application form only	Verification by up to 3 named members/staff [names to be provided by applicant]

Process [As of January 2023]

Re-applications

Any organisation that holds a certificate issued prior to September 2022 is asked to re-apply.

- Read the guidance on completing an application
- Complete the re-application form [here](#).
- Submit your application in one of the two application windows - applications will be considered in **April** and **October** (twice per year). All applications received between 1 October and 30 March will be considered in the April Round. Any applications received between 1 April and 30 September will be considered in the October Round.
- Your application will be processed within a 4-week period of the deadline (**1 October** and **31 March**) – the process involves review by the Bar Council Team who will make a recommendation to a Panel of three members of the Wellbeing at the Bar Working Group [any member of the Panel will recuse themselves if there is a conflict]
- Bar Council will inform you of the decision on your application and work with you to update your case study (to be published on the Wellbeing website), agree a quote for you to use in internal and external communications, and discuss if you would like your renewed Certificate to be tweeted by our Comms. team (and if so, when).

Note:

- If you are unsuccessful, Bar Council will work with you (if you wish) to help you meet the criteria and make another application.
- You will be sent a reminder 3 months before your certificate is due for renewal. Each certificate is valid for 3 years.

New Applications

Any organisation that has never received a Wellbeing Certificate of Recognition can make an application.

- Read the guidance on completing an application
- Complete the application form [here](#)
- Submit your application in one of the two application windows - applications will be considered in **April** and **October** (twice per year). All applications received between 1 October and 31 March will be considered in the April Round. Any applications received between 1 April and 30 September will be considered in the October Round.
- Your application will be processed within a 4-week period of the deadline (**1 October** and **31 March**) – the process involves review by the Bar Council Team who will make

a recommendation to a Panel of three members of the Wellbeing at the Bar Working Group [any member of the Panel will recuse themselves if there is a conflict]

- Bar Council will inform you of the decision on your application and work with you to develop your case study (to be published on the Wellbeing website), agree a quote for you to use in internal and external communications, and discuss if you would like your Certificate to be tweeted by our Comms. team (and if so, when).

Note:

- If you are unsuccessful, Bar Council will work with you (if you wish) to help you meet the criteria and make another application.
- You will be sent a reminder 3 months before your certificate is due for renewal. Each certificate is valid for 3 years.

Criteria

Based on the 2021 Wellbeing Research, we want to encourage behaviours in chambers/bar-based organisations that support barristers' wellbeing.

The key areas where chambers/employers can have an impact on wellbeing, are:

- Workload Management; and
- Supportive Working Environments

To secure a Certificate, Organisations are asked to provide evidence of how they meet ALL of the following criteria:

- a) Chambers can provide evidence to demonstrate that (a) their members feel supported in chambers and that (b) wellbeing initiatives have had a positive effect.
- b) All pupils and barristers have either a mentor or someone they can go to for support in confidence.
- c) There are a range of wellbeing initiatives in place to support the needs of different identified groups.
- d) Practice management meetings are in place and the framework for practice management includes consideration of wellbeing.
- e) Wellbeing is embedded in chambers at a senior level and championed by senior members.
- f) Bullying and harassment issues are tackled quickly and effectively
- g) Support is provided and easily accessed by members who are struggling.
- h) Chambers can demonstrate that they have effective wellbeing and equality, diversity, and inclusion policies (that go beyond the mandatory minimum required by the BSB).

Guidance on completing an application

To assist below is a table indicating ways organisations submitting an application might demonstrate how they have met a criterion.

Keep your responses as brief as possible (max 250 words) and don't worry if there is any duplication. Make sure you put something relevant in each box.

CRITERIA	WAYS YOU MIGHT SATISFY A CRITERION
a) Chambers can provide evidence to demonstrate that (a) their members feel supported in chambers and that (b) wellbeing initiatives have had a positive effect.	<i>e.g., informal and formal feedback; a Wellbeing Policy; survey results (inc. as part of a wider chambers wide annual survey over multiple issues or in response to a single initiative); any feedback on wellbeing activity e.g., training, chambers' social events, mentoring etc.</i>
b) All pupils and barristers have either a mentor or someone they can go to for support in confidence.	<i>e.g., chambers-based mentoring or buddy programmes; trained wellbeing officer in post; clear information on who to speak to on a wellbeing issue on intranet/induction packs/handbook/chambers notice boards</i> <i>Note: Not everyone has to have a mentor/buddy – but they should have the option of one if required.</i>
c) There are a range of wellbeing initiatives in place to support the needs of different identified groups.	<i>e.g., details of activity – social/physical; training/talks – who participates and feedback</i>
d) Practice management meetings are in place and the framework for practice management includes consideration of wellbeing	<i>e.g., details of practice review process (who gets/how often/what is covered) and any action taken as a result</i>
e) Wellbeing is embedded in chambers at a senior level and championed by senior members.	<i>e.g., evidence wellbeing being referenced in chambers communications, particularly from those in leadership roles (Blogs, Newsletters, internal messaging etc.)</i>

f) Bullying and harassment issues are tackled quickly and effectively	<i>e.g., a policy and clearly defined process for investigating complaints; anonymised summaries of any incidents including how they were handled</i>
g) Support is provided and easily accessed by members who are struggling.	<i>e.g., availability of organisation's own Assistance Programme; promotion of Bar Council's Assistance Programme (available to Barristers and Staff) – uptake (if known on own scheme); or evidence that any Chamber appointed wellbeing officer has been consulted</i>
h) Chambers can demonstrate that they have effective wellbeing and equality, diversity, and inclusion policies (that go beyond the mandatory minimum required by the BSB).	<i>e.g., list relevant policies (which can be made available upon request); summarise where policies exceed minimum requirements e.g., support in return to practice; financial support;</i>

Verification

We ask chambers submitting an application to provide the names and email contact details/telephone numbers of three members or staff. We may contact these individuals to corroborate the evidence you provide in your application.

Terms and Conditions of Certification Programme

1. Applications will be considered in April and October (twice per year). All applications received between October 1 and 31 March will be considered in the April Round. Any applications received between 1 April and 30 September will be considered in the October Round.
2. Applications received late/after an application round deadline will not be processed. Late applications will need to be resubmitted.
3. Confirmation of success will be sent to the lead contact in chambers by email. Announcements of certificates will be embargoed until the Bar Council has announced successful applicants.

4. Certificates are awarded to the chambers (not to individual members); individuals may not claim/advertise that they have been awarded a certificate personally by the Bar Council.
5. Successful applicants may display their certificate in chambers and may advertise on chambers websites and online that they have been awarded a certificate for a three-year period following the date of announcement embargo being lifted (see 3 above).
6. All chambers will be invited to renew applications for a certificate once every three years; this is to ensure activity is kept up to date and case studies reflect current practice.
7. Certificates that are not renewed after the 3-year period will become invalid and case studies will be removed from the Wellbeing at the Bar website pending renewal. Chambers will be asked to no longer refer to being a certificate holder once the certificate has expired.
8. Decisions on applications will be made by the Bar Council and the Wellbeing at the Bar Working Group Certificate Panel members. We will aim to advise applicants during the processing stage as to whether their application is likely to be successful. In some cases, awards will be conditional on further information/ or confirmation of activity being provided.
9. Decisions on applications are final; however, chambers may add (by sending to the relevant email address provided) further information to their application at any time within the application window if necessary.
10. We reserve the right not to publish case studies if we become aware that any information provided to us is inaccurate, misleading, or refers to individuals without their consent.
11. We reserve the right to delay awards and announcements subject to staff capacity and availability.
12. For unsuccessful applicants, the Bar Council will offer advice and support as to how to make a future application successful. Our minimum level of support will be advice by email or a single meeting/phone call. Where support exceeding the minimum level is required, this will be subject to Bar Council staff capacity/availability.
13. Neither the Bar Council nor any individual responsible for or involved in advising chambers on wellbeing activity advice accepts any responsibility or liability for any action taken in reliance on that advice. No advice given in, or in relation to a certificate application (or any query to the Bar Council regarding wellbeing in chambers) consists of legal advice, nor can it be relied on as giving legal advice.
14. PDF copies of certificates may not be amended/edited or altered by any recipient. Any inaccuracies or errors on a certificate should be brought to the attention of the Bar Council for correction.
15. All images/logos and design material contained with the certificates may not be reproduced, copied or distributed for any other purpose.

Further Help

If you have any queries or need any help regarding completing an application/re-application for a certificate, please contact equality@barcouncil.org.uk

Tips and Resources

The following tips and resources will support an application and will hopefully reassure you on what is involved:

Wellbeing Survey ([sample questions](#)) – can be in any format e.g., Survey Monkey.



We would recommend Chambers think about a regular annual survey of members and staff more generally to check in on key issues affecting members/staff (not just wellbeing)

Feedback Forms – simple question ideas (for use after an activity). For example:

- Baseline [before intervention]: How would you rate your [skill/attitude/feeling/knowledge/understanding/confidence] on a scale of 1-5?
- Now that you've accessed [after intervention], how would you rate your [skill/attitude/feeling/knowledge/understanding/ confidence] on a scale of 1-5?
- What difference, if any, does this [intervention] make to how you feel about working here?
- What difference, if any, did this [intervention] make to your work?
- Can you suggest anything we could do to improve this [intervention]

Sample Wellbeing Policies [here](#) and [here](#) (wellbeing can also be integrated into other policies – not just stand alone)

Ideas for activity (See [case studies](#) from others)

[Bullying & Harassment Guide](#) (template policy and process guidance)

[Bar Council Assistance Programme](#) (promote use of the programme internally)

[Sample Equality Diversity & Inclusion policies & resources](#) (access policy templates to cover issues that matter in chambers e.g., menopause, anti-racism statements etc.)

COMING SOON

Bar Council: Guide to Good Practice in Practice Review (due to be published in early 2023)