

Are you facing up to stress in your profession?

The phrase about the cobbler's children being the worst shod sprung to mind when I saw a recent report from LawCare, a Scottish based confidential help service to the legal profession. They have recorded a 70% rise in calls over the last two years! Why does this matter? If these figures are an indicator of what is happening across the UK, then it means that there is a significant cost to the individuals and the practices. Additionally, there are potential legal implications for the partners and seniors as recent amendments to the Health and Safety at Work and amendments to the Disability Discrimination Act now incorporate stress related issues more comprehensively. Those who are running practices have a duty of care to the staff in the same way as directors in industry.

Let us look at some of the figures in more detail. Last year saw a 27% rise in calls from across the UK – where many in the legal profession did not even know of LawCare. Over 2/3 of the calls relate to depression and stress with a further 20% to do with alcohol problems (which are frequently a symptom of stress.) Most of the remainder were about bullying in the workplace, with a large number of these calls coming from female assistant solicitors. The distribution of levels was also enlightening, with partners accounting for over 25% and assistant solicitors just under 25%.

Looking at these does raise questions about how deep the problem really is. Many people in our society are reluctant to admit to these kinds of issues, those calling will be the tip of the iceberg. So it would seem that there may be a real problem. Why is this happening? There could be many reasons, starting with the on-going commercial pressures, the changes in competitive forces within the sector and also the lifestyle of the 21st Century. These combine to raise pressure levels and many firms have a culture of “pull your socks up” or “just get on with it”. The leadership style and culture within firms may not be as supportive as it could be and if the seniors are feeling stressed they will not be the best role models!

What are the consequences of ignoring these figures and the trends behind them? Apart from the “duty of care” aspect, there are some serious commercial realities to face! Several of these are likely to occur:

- Levels of commitment to work*
- Performance and productivity diminish*
- Absence levels increase*
- “Presenteeism”, ie, they are present but not able to do much*
- Staff turnover increases*
- Client service levels suffer – with ensuing problems*
- Quality of work*
- Problems attracting the right staff*
- Reputation of the firm suffers*
- Risk of litigation*

Once these begin to occur, they are likely to spread! Failure to address them, to assess the risks to the firm and the people can make you liable. It can also affect the viability of the firm too.

The Health and Safety executive have a set of six management standards which provide some key areas to manage to help to reduce work-related stress. These are:

Demands – This includes areas such as workloads, work patterns and the work environment.

Control – How much say an individual has in the way they do their work.

Support – Covers the encouragement, resources, guidance provided by the firm, line management (and partners) and colleagues.

Relationships – Promoting a positive working environment, avoiding interpersonal conflict and dealing with unacceptable behaviour.

Role – Ensuring people understand their role (and responsibilities) within the firm and that they do not have conflicting roles. This means more than just having a job description!

Change – How organisational change (large or small) is managed and communicated in the firm.

By paying attention to these, and the statements which define good management in each of the areas, you can measure performance in relation to work-related stress. The better you become, the fewer phone calls need to be made to the support lines!

We find, when working with clients, that combining work at the organisational level with these standards, or similar and offering training and guidance for the people many of the issues can be reined back and come under control. Although the indicators are that many more people are feeling symptoms of depression and stress, learning to develop more self-awareness and options for responses to pressure these challenges can be dealt with more positively. When workloads are high, and various factors are causing the pressure levels to rise, people need to have some alternatives to how they handle these situations. Too often, we all become trapped in using the same response patterns – even when they are not the most appropriate. For short-term situations it can be helpful to develop a range of coping strategies. To make a longer lasting change, it is necessary to look at things somewhat deeper to get to grips with the causes and tackle these rather than just address the symptoms.

A critical element to improving things within your firm is to improve the understanding from the top. The people in charge need to have a broad awareness of stress, its implications, causes and consequences –and their responsibility in creating the overall environment. In view of the earlier figures showing the level of calls from senior partners, it is also useful for them to learn to identify the stress symptoms within themselves and others and to know how to deal with them before they become a real problem for everyone. With this level of overall knowledge and self-awareness they have a better

chance of being a good role model – and creating a healthy culture within the firm.

The indications from LawCare are that stress is an issue within the legal profession and should not be ignored. Apart from the possible legal ramifications, the personal costs and consequences and those for the business would suggest that it is something worth addressing. Also, it is better to catch it early to prevent rather than cure. As a “profession” which may be aiming to support and advise people suffering from stress related issues, maybe it is a good idea to be a good example!

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