

Mental Health in the City

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Introduction

Mental health is, despite a growing movement to address its importance in the workplace, unfortunately still considered by many to be one of life's taboos.

Mind's latest estimate is that mental ill health costs UK businesses around £26bn a year in lost productivity. However, by emphasising the commercial impact of ignoring mental health and the ethical importance of employee care, advocates are now beginning to tackle old taboos. They are encouraging openness and establishing much-needed support systems to ensure that employees are not only given the best chance to remain mentally healthy but, conversely, to equip those on the front line to deal sensitively and appropriately with individuals when they have become unwell.

The legal industry has begun to take important steps in this direction, but much more needs to be done. Over the past few months, we conducted interviews with key individuals working in mental health across the City, including those at a number of law firms who have taken significant, proactive and progressive steps to address this issue within their organisations.

This article outlines what we have learned and, in light of our findings, we would invite those reading to reflect on the adequacy of their own firm's mental health provisions.

The City Mental Health Alliance and Mental Health Champions

Mental health support provision varies widely between firms but, on the whole, the legal sector lags behind other professional services counterparts. Accountants, for instance, have long been able to take advantage of the Chartered Accountants Benevolent Association ("CABA") - a nationwide independent charity body that has been running for 125 years, with offerings ranging from practical financial support, to wellbeing assessment tools, a free anonymous 24hr helpline, and resilience-building workshops. On a more localised level, the 'Big 4' also rack up an impressive array of offerings between them, including: resilience workshops (PwC); 24/7 helplines (KPMG); confidentially-accessible mental health champion networks (Deloitte); networking and buddy schemes (EY); flexible work practices (EY and Deloitte); and various levels of collaboration with third sector organisations like Mental Health First Aid England, Mind and Rethink Mental Illness.

CITY MENTAL HEALTH ALLIANCE



The City Mental Health Alliance is a cross-professional coalition of organisations with a mission statement that includes: destigmatising mental health to make it as easy to discuss as physical health; gaining boardroom level recognition of the importance of mental health support; and promoting prevention and treatment as of equal importance.

They aim to achieve this through: increasing mental health literacy; proactive media engagement; encouraging a culture of openness; and empowering employers with practical tools and opportunities for sharing best practice.

The group is led by professionals from a variety of City backgrounds including finance, professional services and healthcare. Legal signatories include: Freshfields, Allen & Overy, Linklaters, Slaughter and May, Bird & Bird, Herbert Smith Freehills, Hogan Lovells, Addleshaw Goddard, Baker & McKenzie, and Gowling WLG.

The City Mental Health Alliance (“CMHA”) is an organisation actively trying to bridge the gap between current and ideal levels of mental health provision across the City. The group is led by professionals from a variety of City backgrounds, with the aim of sharing experience and best

MENTAL HEALTH FIRST AID



Similar to its physical counterpart, Mental Health First Aid (MHFA) is used to identify, understand and help a person who may have, or be developing, a mental health issue.

Established in Australia in 2000, the concept gained prominence in the UK in 2007 where it was widely developed in conjunction with the National Institute of Mental Health in England. MHFA England’s stated aim is to foster broader understanding of mental health issues through a two-day certification course. The course enables practitioners to recognise warning signs, provide immediate assistance where required, and signpost to appropriate further support. In aligning mental wellbeing with its physical counterpart, MHFA England hopes to emphasise the commonplace nature of mental health issues, and further reduce associated stigma.

In corporate terms, training is largely aimed at managers and HR professionals – those most likely to be in contact with the largest number of staff, and in a position to intervene where necessary.

The organisation currently boasts 135,000 people trained in mental health first aid skills in England, and 100 million worldwide.

mhfaengland.org

practice to extend the basic provisions – such as employee assistance schemes, occupational health teams and private medical insurance - that many firms currently have in place. The CMHA has already developed an impressive roster of members and, encouragingly, is inundated with further requests to join.

Poppy Jaman, CEO of Mental Health First Aid England (“MHFA England”), and programme director at the CMHA, explains that one of the most problematic aspects of mental health support in a corporate environment is its nascent nature overall, which can make it difficult to assess the effectiveness of different approaches. For this reason, one of the CMHA’s longer-term goals is to use metrics to help develop a mental health benchmarking toolkit for its members – combining both quantitative data such as absence rates, and more qualitative data like staff surveys - by which companies can then measure the efficacy of their efforts. This should lead to a systematic way for members to measure their contribution against those of their peers, and more widely publicise their offering. Jaman

concedes that such plans will be a few years in the making, but acknowledges that in the interim, organisations like MHFA England and the CMHA can go a long way towards building more substantive mental health support through ‘cross-pollination’ of ideas and best practice. This, in turn, should help develop a strong body of evidence on effective measures to protect mental health and prevent mental ill health developing in the workplace.

As part of her ‘cross-pollination’ efforts, Jaman has undertaken a considerable amount of mental health work recently with Barclays, who are also members of the CMHA. After finding that, across the retail arm of the bank, one in three reported sick days were attributable to mental health issues, Barclays has worked with multiple charities and external advisory groups like the CMHA to raise the profile of mental health and wellbeing in an effort towards “tangible cultural change”. Most recently, this investment came in the form of their ‘This is Me’ campaign - a bid to encourage staff to “bring their whole selves to work”, disclosing and normalising mental health and other potentially stigmatizing personal issues.

Another active member of the CMHA, and one to whom Deloitte owes many of its improvements in mental health support is John Binns. John is widely regarded as a key mental health champion in the City. He is a former Deloitte partner who now independently advises individuals and high performance organisations - including Deloitte - on mental health, wellbeing and personal resilience. Binns' interest in the topic, and the new advisory route of his career stem largely from personal experience. Working for nearly 20 years at the firm, he held responsibility for leading large change programmes when, in 2007, he developed symptoms of work-related stress, resulting in a breakdown and three-month hiatus from the firm. Given his high profile role, John assumed this would mean the end of his career with Deloitte. He was, however, pleasantly surprised by the firm's more sympathetic reaction. They took the view that Binns' professional and personal value to the team far outweighed the cost of the few months of support required for his recovery, and eventually engineered a graduated return to his former role. Seven years following this successful return to work - where he remained a mental health advocate alongside more traditional duties - Binns opted to leave Deloitte, and establish himself as an independent consultant. He sees Deloitte's response, and his subsequent commitment to improving the lives of other City workers as having been "massively important in restoring [his] sense of self-worth, which had been on the floor."

In retrospect, Binns notes, Deloitte's initial 'hands off' approach during his absence - though well intentioned on their part - led him to draw negative conclusions on the likelihood of a future with the firm. He is thus an ardent advocate for ongoing dialogue between businesses and their employees, and ideally at preventative rather than post-crisis stage. He likens a firm's investment in employees to the purchase of a high-performance car, asserting, "you wouldn't keep your foot on the accelerator for two years without routine maintenance, and not expect to have performance issues." He is also keen to emphasise that individuals can be even more successful following a breakdown and period away, than before such an episode, provided they receive the appropriate support when needed, and a careful and considered reintegration programme. A breakdown should certainly not mean the end of a career. Encouragingly though, Binns is increasingly finding law firms keen to develop the 'routine maintenance' aspect of their mental health offerings, and he now counts numerous firms, including Addleshaw Goddard and Hogan Lovells, amongst his City clients.

THIS IS ME - IN THE CITY



'This is Me – In the City' is an innovative City-wide mental health campaign involving internal circulation of the personal mental health stories of employees.

Initially implemented by Barclays two years ago in a bid to end stigma and improve the way mental health was discussed in the workplace, it has now expanded to include the personal stories of more than 150 employees nation-wide.

Across the City, 65 other firms, corporates and financial institutions have now also registered for the campaign. Wider uptake has been prompted by publicity via various mental health organisations, and endorsement as part of the Lord Mayor's Appeal 'Power of Diversity Programme' – a series of breakfasts encouraging companies and practitioners to collaborate and debate key issues including social mobility, mental health, and disability.

For Barclays themselves, the campaign has significantly changed culture surrounding mental health, with more employees now aware that "while a mental health problem is something that any one of us can experience, it does not define us, limit what we can achieve or restrict the job we can do."

lordmayorsappeal.org/thisisme

It is advocates like Binns, who are prepared to discuss their personal experiences publicly, that are making particularly large strides into breaking down the taboos around mental health. Another such advocate is Richard Martin, an employment lawyer who shares a similar career story. Martin was an equity partner at Jones Day, then Head of Employment at Speechly Bircham and serving on the firm's management committee, before a stress-related breakdown also saw a shift in his career trajectory. He now works for independent employment consultancy Byrne Dean, set up by a number of ex-employment lawyers, where he puts his professional and personal experience to use as a consultant, maintaining strong emphasis on recognising and supporting corporate mental health efforts.

Whilst in private practice Martin was well-versed in dysfunctional workplaces, and psychiatrist referrals, but it was not until his own breakdown and subsequent exploration of Cognitive Behavioural Therapy ("CBT") that he began to recognise what might have been done to help him at an earlier juncture. He believes lawyers in particular can be "vessels for stress", as they are typically driven, high-achieving individuals, from whom actions like identifying worst case scenarios, making selective inferences, and having high levels of personal accountability are professionally required, if not actively rewarded. It is this combination of high-achieving personality type, and reinforcement of objectively 'negative' thought and behavioural patterns that can make a dangerous mix for mental health, according to Martin. Preventative therapies like CBT however exist as a means of laying down "new neural pathways", such that an individual's reaction to stressful circumstances - particularly those that fall outside their immediate control – can be altered. "Recognising what the squeaks are and addressing them early", as Martin terms it, helps to mitigate both external and self-imposed pressures, effectively arming practitioners to guard against 'stress overflow', and develop greater resilience in coping with pervasive stressors, such as a demanding professional life.

Binns and Martin, though vocal advocates, are unfortunately somewhat atypical in the openness with which they discuss their personal experiences with mental ill-health. Indeed, Poppy Jaman flags fear of career limitation as one of the biggest problems faced by professionals struggling with mental health problems. She too believes in continued open dialogue as one of the key differentiators between a business retaining a highly-prized member of staff, or losing them permanently. As evidenced by Binns' story, there can be greater danger in avoiding contact, and contributing to what Jaman terms "accidental reinforcement of perceived failings." Addressing the difficulty of approaching a colleague suffering from mental health problems, she advocates using honest, empathetic and open-ended prompts like "I don't fully understand, but I know you're not well. How can I help?" Disseminating stories like Binns' and Martin's is vital to the cause of improving mental health in the City. Their stories amply demonstrate not just the possibility of recovery, but more successful and fulfilling career engagement thereafter, suggesting genuine investment in employees as wholesale humans makes both ethical and commercial sense.

Insight into Current Provision

Law firms are beginning, slowly but surely, to recognise the ethical and commercial arguments for good mental health support. Hogan Lovells, for instance, conducted a full review and overhaul of its stress management policies in 2013. Alison Unsted, Senior Manager of Diversity and Wellbeing explains that although many of its policies had been in place for a while, since the review, there is renewed emphasis on creating an open culture and fostering sympathetic understanding of possible need for additional help. To this end, the firm brought its counselling services on-site to improve ease of access, and eliminate the complications commonly associated with a private health insurance route. There is also a self-referral system in place, which circumvents alerting either HR or a medical professional, thus making the service accessible without fear of

repercussion. Interestingly, the firm has found that this service is also being used as a balance between coaching and counselling, not only accessed by those in acute personal need but also by managers/partners who are 'self-referring' to gain guidance on the wellbeing of team members they may be concerned about. As a safety net beyond the self-referral system, possible cases of anxiety or stress – particularly those that manifest with physical symptoms - are flagged by the firm's absence call centre for follow-up by the occupational health team. On the maintenance side of things, the firm also holds an annual wellbeing week which focuses on how to remain mentally healthy. There are a range of external speakers and the events – which include lunchtime mindfulness seminars aimed at building and maintaining resilience - are invariably booked out. In a similar vein, exercise and 'extra-curricular' activities are heavily promoted as stress-combatants, in acknowledgement of the part that physical wellbeing and cultural enrichment can play in mental health. The firm has a 90-strong employee choir, arranges historical walks with blue-badge tour guides, and its in-house gym provider runs specific core focussed studio classes designed to address the most common type of employee insurance claims. All of these services are now widely advertised – security passes are stickered with relevant information, there are regular postcard desk-drops, and posters and the intranet landing page provide information and links to services.

Hogan Lovells' impressive array of offerings is paradigmatic of progress in other corners of the City. Addleshaw Goddard, for instance, one of John Binn's earliest clients in the legal sphere, found initiating discussion at senior leader meetings an important starting point in addressing the stigma of broader workplace mental health discussion. 'People managers' across the board at the firm are now invited to attend training, which covers both personal and managerial application of wellbeing measures. Like Hogan Lovells, the firm also takes a comprehensive, multi-pronged approach to mental health, with Binns' training sessions there coinciding with other offerings like mini check-ups from its healthcare provider, and resilience building as a standard component of its 'career milestones' programme. Niki Lawson is HR Director at the firm, and the person chiefly responsible for coordinating its mental health efforts. She is refreshingly open about the fact that, for all they currently have on offer, there is always more to do. A recent staff survey conducted across the firm highlighted a real appetite for further investment in wellbeing. In response, amongst other measures, they are looking at relaxing their sabbatical policy – currently triggered after three years' service, and further expansion of their commitment to flexible working hours. The latter of these has proven a particularly popular move, with up to 70% of survey respondents reporting a desire for more agile working conditions. Addleshaw's response to this demand reflects a wider trend in private practice across the City, and is an encouragingly committed nod towards better work/life balance. The wellbeing of staff remains a serious measure of achievement for Addleshaw Goddard – they also recently engaged in an ongoing partnership with Mind to this end - and Lawson affirms that "success will be when we have people openly talking about mental health."

Adam Farlow, a capital markets partner at Baker & McKenzie, and a sponsor for 'BakerWellbeing' – the firm's health and wellbeing group - also attests to the transformative powers of John Binns' influence, and particularly the change of attitude that can occur once a culture of openness is prompted. He notes that hosting Binns as "someone who shouldn't have made it in the Darwinian system that is the City" was a key facet in "starting a conversation" at Bakers, which has received overwhelmingly positive internal response thus far. Farlow has been the sponsor partner for Baker's mental health support efforts for little over a year, and believes that more emphasis is needed on mental health support that fits with a driven City ethos. For Bakers, this most recently took the form of firm-wide participation in the 'This is Me' campaign – developing blogs, hard copy drops and a big cafeteria screening of 16 staff members' personal mental health stories. One of their participants was also featured on BBC London Live in the context of the campaign. Internally as well, Bakers have a revamped employee assistance programme, with emphasis on ease of accessibility and regular in-house GP and physio sessions, offered in collaboration with their health provider. Their next step is to offer counselling. Current consensus from BakerWellbeing is that this should be an off-site (albeit near) provision, to avoid concerns around being seen by

colleagues whilst accessing the service. Although destigmatizing mental health discussion remains an ultimate goal, in the interim, Farlow is committed to continuing to develop their support system in just such an employee-centric, and individualised fashion.

Like the other firms interviewed, Linklaters view development of their mental health support measures as ongoing. Nigel Jones, a senior partner at the firm who has championed their 'Health and Wellbeing' programme since 2010 says "the journey has been fascinating." Jones is also Vice-Chair, and a founder of the CMHA, which gives him a broader perspective on how wider City mental health operations are progressing, and how they may work within a private practice context. The Magic Circle firm already has a strong emphasis on creating an open attitude towards mental health, after running a pilot 'Resilience Month' in October 2013. Mental health is now a specific focus in October each year, as part of the firm's global health and wellbeing programme. In addition, Jones' professed desire to "rearticulate strategy around wellbeing" leads to one of the most compelling suggestions proffered during our series of interviews - the concept of 'client pushback'. Also endorsed by Head of Talent and Engagement at the firm, Kate Richardson-Moore, Jones articulates this as the need for senior partners and people managers to strike a healthy balance between delivering for clients, and ensuring a reasonable workload for staff, particularly at the more junior end. Such suggestion helpfully places the onus on senior employees to manage client demands and expectations, as opposed to simply expecting junior staffers to cope with unmanageable workloads. Making mental health a 'top down' priority, with efforts fronted by more seasoned lawyers, establishes it as something that is a collaborative and empathetic group effort. Though Jones acknowledges that it is inherently difficult to get lawyers - and particularly fee-earners - to make time for non-fee-earning activities, he also encouragingly notes that resilience and wellbeing seminars, and events run by individuals like John Binns, are increasingly "standing room only."

Conclusions

Two years after the launch of its innovative 'This is Me' campaign, Barclays found that for every £1 invested in the mental health of staff, they were able to recoup £7. Whether or not corporations have an ethical responsibility to look after the mental wellbeing of their staff, case studies like that of Barclays prove that it quite literally pays for corporations to be mindful of mental health.

Firms that do not yet have policies in place, or are concerned that what they do have falls short of what is necessary, need to take steps to address this. At the very least, they should consider membership of organisations such as the CMHA in order to better understand the horizon and what should be being done in the immediate and longer term. Training with an organisation such as MHFA, to identify and assist employees who may have, or be developing, a mental health issue should form a key part of this process for managers/partners and appropriate HR contacts.

Thankfully, increased understanding of the impact of work stressors on mental health, the steps taken to combat these at both preventative and post-crisis stage, and internal and external collaborative efforts suggest a significantly brighter future for mental health in the legal sector and the City more widely. If the gains made by the legal community in the past few years continue (hopefully prompted in future by empirical, as well as anecdotal, evidence of their positive impact) a more sympathetic and holistic attitude to staff could soon become the norm, and rightly so. As the 'This is Me' campaign succinctly states "while mental health conditions are a part of you, they don't define who you are or what you can do and they certainly shouldn't prevent you from doing a job, as long as you get the support that you need."

Further Information and Guidance on Mental Health

Further evidence of momentum around mental health, this time specific to the legal market, came just ahead of this article going to press with the announcement a few weeks ago that fifteen organisations from the legal profession have joined forces to create a new taskforce promoting mental wellbeing in the legal community.

[The Legal Professions Wellbeing Taskforce](#) will identify areas where collaboration on mental health issues will be beneficial. It will also identify mechanisms for establishing and sharing best practice, identify how to improve the perception of mental health and address stigma as a barrier to accessing support.

The Law Society and LawCare are the organisations driving the scheme, whilst many other organisations - including the Bar Council, the Solicitors Regulation Authority, and the CMHA – are also involved.

Useful links to mental health support providers are below. This is a non-exhaustive list as there are a number of other entities and organisations covering issues relating to mental health in the City and wider community.

- City Mental Health Alliance - citymha.org.uk
- Mental Health First Aid – mhfaengland.org
- This is Me - In the City - lordmayorsappeal.org/thisisme
- Mind - mind.org.uk
- Rethink Mental Illness - rethink.org/about-us
- Mental Health Foundation - mentalhealth.org.uk
- Time to Change - time-to-change.org.uk
- LawCare - lawcare.org.uk
- Business in the Community - bitc.org.uk
- Business Healthy – businesshealthy.org

About A Resilient Mind

A Resilient Mind offers consultancy services to City organisations (including law firms, corporates, and financial institutions) wishing to enhance both physical and mental wellbeing in the workplace, with an emphasis on building resilience and optimising performance.

We work with our clients to ensure that their policies in this regard meet requirements and/or best practice, and to develop wellbeing initiatives across their organisations so employees are not only given the best chance to remain physically and mentally healthy (and in many cases reach an enhanced level of health) but, additionally, to equip those on the front line to deal sensitively and appropriately with individuals should they experience issues. We are inherently aware that an employee's mental wellbeing may be effected both by their professional and/or personal lives and we work hard to ensure that our clients, as employers, are well placed to encourage and support their employees whatever the source of anguish given the likely impact on all aspects of their lives.

We have an extensive team of practitioners underpinning these services who enable us to deliver the necessary seminars, workshops, training, one-on-one sessions, and counselling. These include, amongst others, mindfulness and resilience coaches, mental health trainers, psychologists, life and executive coaches, nutrition and sleep consultants, personal and yoga trainers, osteopaths and physiotherapists, and healthy building design experts. All services can be provided to our clients on-site. In addition we partner with a number of organisations who can offer complimentary services such as lunchtime talks on topics ranging from parenting (young children and teenagers), to looking after elderly parents, living with serious illness, dealing with divorce, and managing careers (all of which can have negative effects on mental health).

For further information, please contact tiffany.evans@aresilientmind.com / 07778 155845

Tiffany Evans, Founder and Director

Tiffany is a solicitor (non-practicing) who trained and qualified with Hogan Lovells International LLP and then worked for 10 years as an associate/senior associate in the firm's Investment Banking and Funds Litigation department.

Given this background, Tiffany has first hand experience of a pressured working environment, corporate client demands, and the toll that these can take on both physical and mental wellbeing – particularly, in her case, when also juggling two young children, dealing with the expectations and logistics around business/client development, and navigating the path of career progression. Tiffany received CBT counselling for anxiety (triggered by a combination of work pressures and witnessing friends losing a very young child to cancer) and, despite her initial scepticism, found it a life-line which particularly suited her solutions focused personality.

Tiffany read Politics and Economics at Goldsmiths College, University of London, prior to completing the CPE and LPC at the College of Law, London.

Tiffany is trained and accredited by Mental Health First Aid.

This article was researched and written by Tiffany and Anna Bowen, as part of a thought leadership series of articles produced in connection with the legal search firm, Piper Pritchard, for its law firm clients and contacts.