



Law

**Sector EAP analysis
and clinical insights**


assure
PROGRAMS

COMMENTARY

Introduction

This report considers the psychosocial risks and insights derived from EAP (Employee Assistance Program) observations for customers in the Law Sector. It is intended to support Assure Programs' business partners in exploring trends at an industry level and is best used in conjunction with each customer's individual EAP reporting and other data sources, to inform proactive mental health and wellbeing strategies.

Assure covers over one million Australians across all industry sectors including employees' family members, and in 2019 provided 65,000 hours of EAP counselling and 6,800 hours of support for critical incidents and significant events. 77% of all Assure's counselling sessions were face to face, and 95% of clients were either 'very satisfied' or 'satisfied' with their counselling experience.

In the Law Sector, Assure provides EAP services to 22 organisations, totalling 13,500 employees plus their families. In 2019 Assure provided 3,400 counselling sessions and 240 hours of support for critical incidents and significant events in this sector.

Mental health issues are the most common reason people are accessing EAP at Assure, comprising 35% of all presenting concerns. Because we only use experienced psychologists (not provisionally registered psychologists, counsellors, social workers or chaplains) we are able to assess and treat these issues (particularly complex and trauma-related cases) using evidence-based interventions. Additionally, if appropriate, we offer continuity of care for longer term treatment in conjunction with a GP Mental Health Care Plan, where clients can receive rebates through the Medicare system when necessary and continue to use the same Assure psychologist if they choose.

Industry context and psychosocial risks

Supporting the mental health and wellbeing of personnel in the Legal Sector has received increased attention in recent years, particularly given the research to suggest that lawyers have among the highest rates of mental health problems. This is reflected in a particularly high EAP utilisation for this sector. Encouraging personnel to access Assure's EAP service when needed, and helping others in need to do so, will be essential in order to continue this positive trajectory of support for employees in this sector.

Legal environments traditionally espouse a systemically high-pressure work culture, entailing long work hours, tight deadlines, meticulous attention to detail, pressing client or business demands, billable hour targets, and challenges associated with maintaining work-life balance. Although encouraging more people to come forward and seek support during periods of elevated stress is of high importance, some have acknowledged that there is also a need for the reform of systemic elements of the work environment that perpetuate this high-pressure culture.

There may also be specific cohorts within the Legal Sector that face higher levels of risk. These include young trainees, students or new graduates struggling with the workload, as well as experienced lawyers and partners who have progressed further in their careers. Understanding the specific needs and challenges of at-risk cohorts is an important component of promoting a psychologically safe and healthy workplace.

In addition to workload and pressure associated with the work environment, the nature of the work may also make lawyers more vulnerable to psychological problems. For example, lawyers may need to provide legal services to vulnerable clients or otherwise come into contact with individuals experiencing high levels of distress. The frequent need to remain impervious to the distress of others or de-escalate conflict in an adversarial context can be both socially and emotionally taxing for legal personnel.

In some areas of the law, personnel may also be subject to an increased risk of vicarious trauma. For example, lawyers may need to review evidence that exposes them to confronting or emotionally distressing material, such as evidence and accounts of child abuse, sexual abuse, extreme violence, persecution, torture, or other serious crimes. This may be particularly the case for legal personnel involved in current or recent Royal Commissions, such as the Royal Commission into Aged Care Quality and Safety and the Royal Commission into Institutional Responses to Child Sexual Abuse. Understanding how to proactively protect the wellbeing of team members exposed to such material and manage their risk of vicarious trauma is of critical importance in this sector.

COMMENTARY

The high-pressure nature of work in the Legal Sector is associated with a variety of risks pertaining to workload, social demands, and emotional demands.

At Assure, our focus is on encouraging businesses to support their people and collaboratively overcome mental health stigma. Many of our clients are also focused on the reform of systemic elements of the work environment that pose risks to the mental health and wellbeing of their people.

EAP Insights

The information on the following pages summarises EAP utilisation for Assure's customers in the Legal Sector over the past two years, in comparison with all other sectors. We can make the following observations and insights:

- Overall utilisation increased slightly from 10.41% in 2018 to 11.92% in 2019, compared to 8.15% for the all-sector average in 2019. This stable degree of utilisation reflects consistent levels of awareness and acceptance of mental health issues between 2018 and 2019. The observation that EAP usage is substantially higher in the Legal Sector may relate to the diverse psychosocial risks associated with this sector and employee role types within it, as well as the increased sector-wide emphasis on overcoming mental health stigma in the Legal context.
- It is notable that the most common age of clients is lower in the Legal Sector than in other sectors, particularly in the age bracket of 20-29 (38% in Law compared to 24% across all sectors). This may suggest that younger employees may be more likely than older employees to be willing to reach out for support from EAP. Alternatively, it could also reflect the high degree of pressure faced by young trainees, students or new graduates in this competitive sector.
- 66% of clients were in their first 4 years of tenure, compared to 56% across all sectors. In line with the previous comment about age, this potentially suggests that the initial years of working at a new organisation may be especially demanding for those working in the Legal Sector.
- More clients were female (76%) than for other sectors (63%). This may be consistent with the overall gender mix of employees in this sector, especially younger employees noting the comments above regarding age and length of tenure.
- Access by family members was consistent between 2018 (10%) and 2019 (also 10%). This rate of utilisation was somewhat lower than the rate across all sectors during 2019 (13%).
- Employee awareness about their EAP service comes predominately from HR or People & Culture (29%), which was substantially higher than in other sectors (22%). This data suggests that equipping HR personnel with the capabilities required to support vulnerable staff members and offer a referral to EAP when needed may be of particular importance in this sector, given that these personnel are the primary gateway to EAP for many employees. By way of contrast, hearing about EAP from a supervisor was less common in the Legal Sector (11%) than in other industries (20%), reflecting a potential need to educate more supervisors about how to refer staff on when needed.
- The mix of workplace concerns (34%) and personal concerns (66%) was consistent with other sectors and remained stable. However, it should be noted that whilst relationships and mental health issues are classified as personal concerns, they often have their origin in workplace pressures. Furthermore, workplace issues can often be a factor underpinning stress in the home environment.
- Among personal concerns, symptoms of anxiety (including pre-existing anxiety) were the most commonly reported concern (25%), which is slightly higher than the all-sector average (23%). This was also accompanied by concerns about relationship issues within couples and families (23%), and stress associated with personal demands (7%).
- Among workplace concerns, excessive workload pressures (21%), reduced productivity (11%) and work life balance (8%) were the most commonly reported. It was notable that concerns about excessive workload pressures were more frequently reported in the Legal Sector than in other sectors (16%), which is likely reflective of the typically high-pressure work culture in the Legal context.
- Access to Assure's Manager Support Program was primarily to help employees manage a distressed employee/colleague (35%), which was higher during 2019 than during 2018 (30%) and also compared to other sectors (26%). The second most frequent purpose was to help employees through change, critical incidents and other stressful situations (25%), which was lower during 2019 than during 2018 (30%).



Mental Health & Wellbeing Strategies

Assure has been working with a number of its customers in the Legal Sector to develop and deliver proactive mental health and wellbeing strategies. Every organisation has its own challenges and priorities so there is no one-size-fits-all solution, but common themes include:

- Mental health awareness (for leaders and employees), including how to support staff in need and refer them to EAP when required
- EAP awareness: Assure has an awareness video to allow much greater reach via customer Intranets and email
- Dealing with aggressive clients and difficult client conversations
- Change management
- Leading resilient teams
- Handling vicarious trauma, including the psychological risk associated with one-off or repeated exposure to confronting or emotionally distressing material and situations
- Creating psychologically safe workplaces
- Wellbeing assessments and positive psychology programs have also been helpful for people who are already coping well ('surviving') but want to raise their performance to another level ('thriving').
- Electronic or virtual delivery of training and awareness programs allows employees to access them in geographically dispersed locations and at times that fit with business requirements.
- A number of customers have looked at extending Assure's support to their clientele, as a way to make their client offering more competitive.

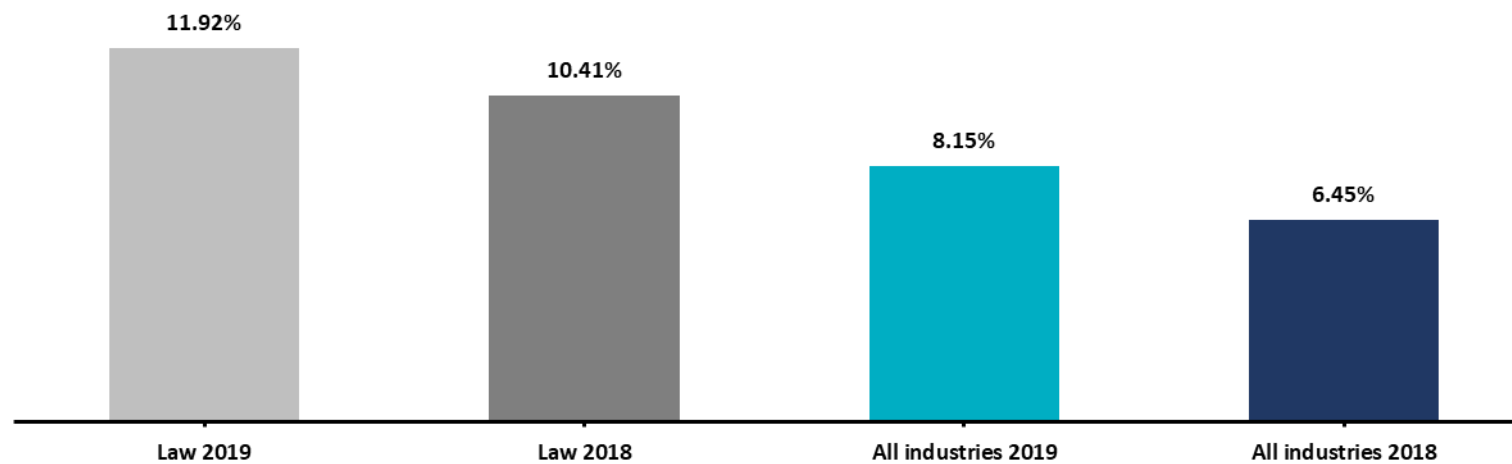
Resilience and self-care: Noting the increasingly complex and uncertain environment within the modern workplace, the need to build a resilient and agile workforce is critical. Research tells us that one-off resilience training simply does not cut it, so how can we create sustained behaviour change to help employees and leaders navigate our increasingly volatile, uncertain, complex and ambiguous work environment? Assure has designed a program Thrive to address this, using an assessment tool based on the 6 key neuroscience pillars of resilience, that can be targeted to the specific needs of each organisation. Acknowledging the need to scale up across large, geographically dispersed workforces, this program incorporates virtual coaching via state-of-the-art technology and artificial intelligence, alongside face-to-face training and coaching programs. This approach provides an interactive and engaging way to build resilience through a comprehensive program tailored to different learning needs.

Psychosocial risk assessments: As a precursor to deciding on specific mental health and wellbeing initiatives, and to help target investment in the most cost effective way, we would recommend carrying out an assessment of psychosocial risks across your organisation. Assure has developed an online assessment tool the Backbone of Mental Health & Wellbeing in the Workplace which allows business leaders and employees to assess strengths, or areas to improve, within 8 key areas of clinical risk.

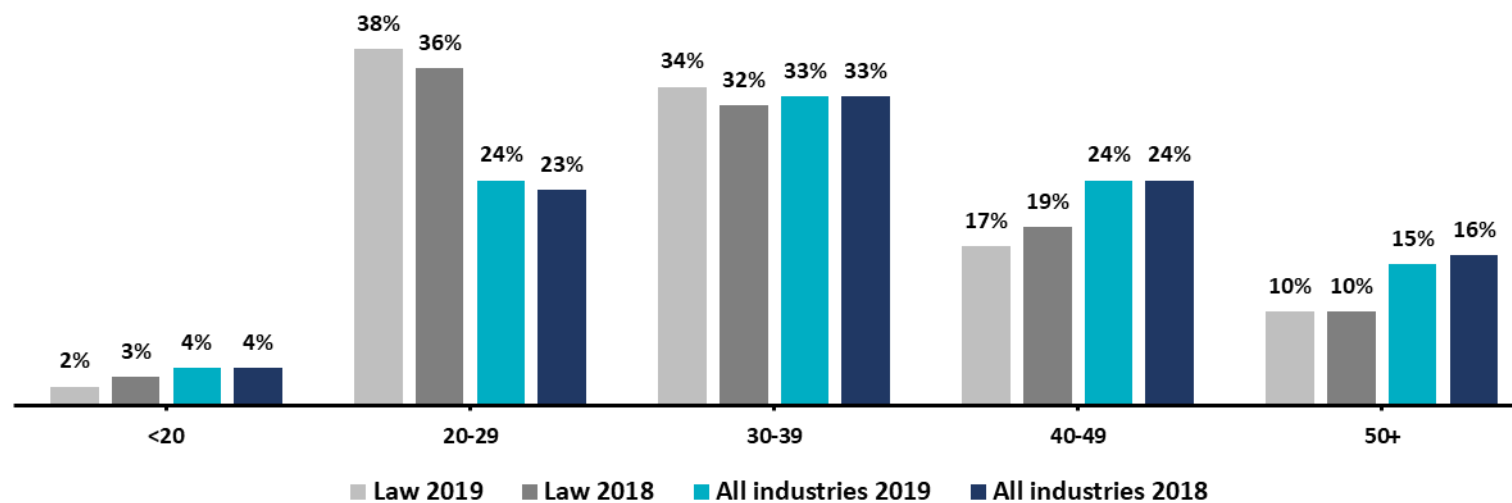
If you would like to discuss your strategy for proactively improving the mental health and wellbeing of your organisation, please talk to your Assure Programs Customer Care Manager or call (07) 3211 8919.

WHO HAS BEEN ACCESSING EAP?

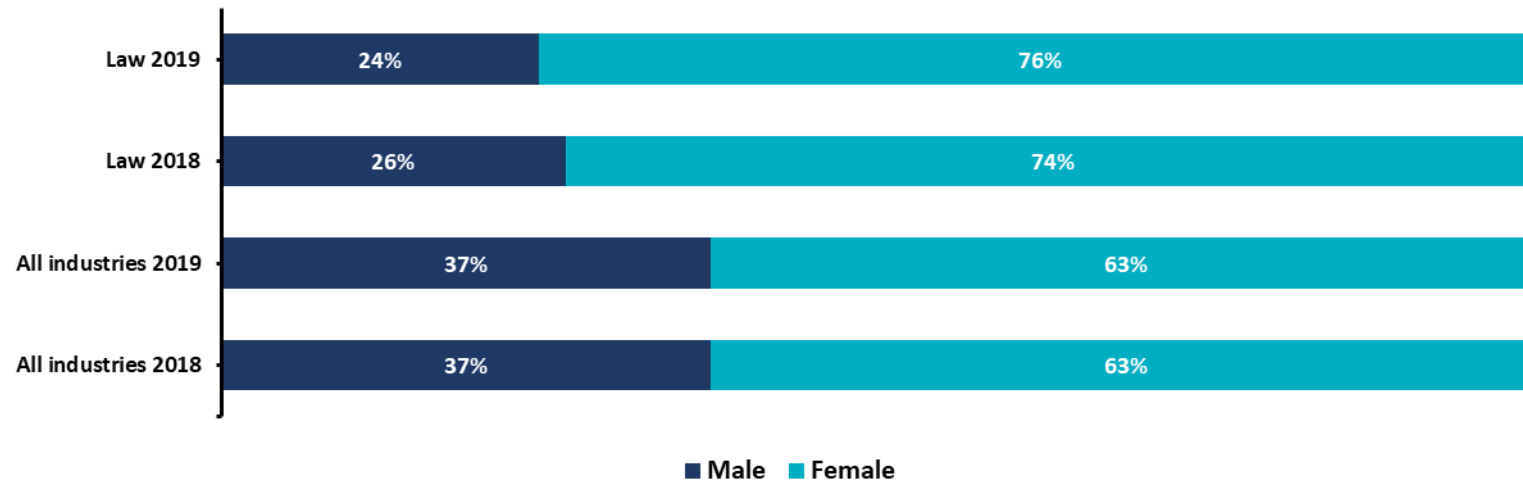
EAP Utilisation



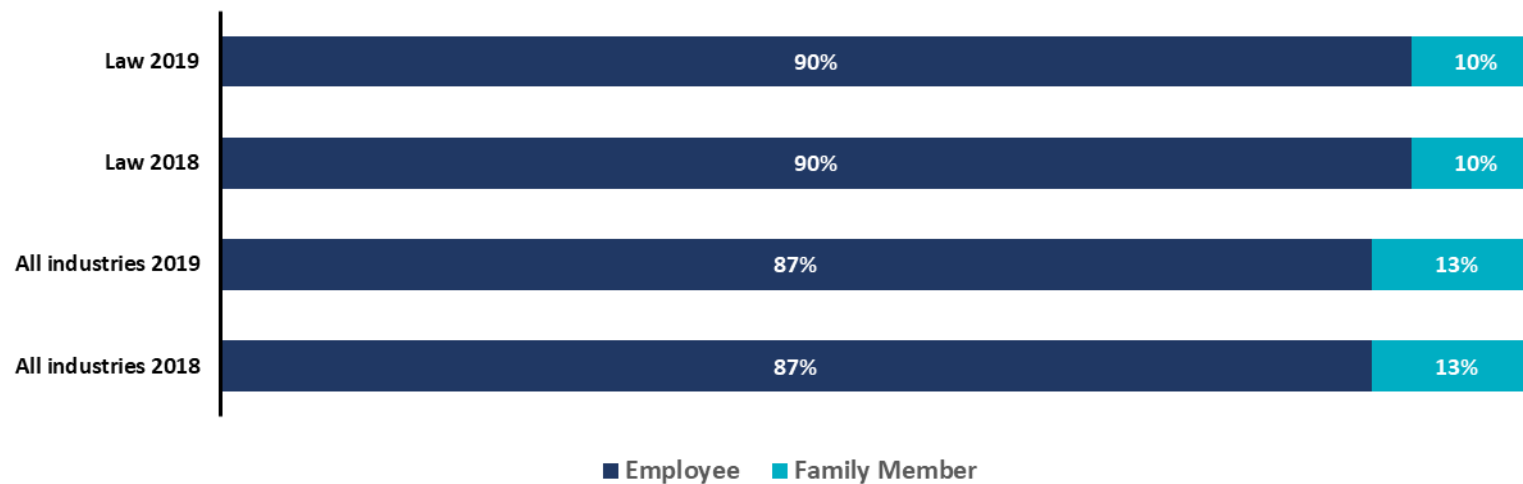
EAP client age (as % of all clients)



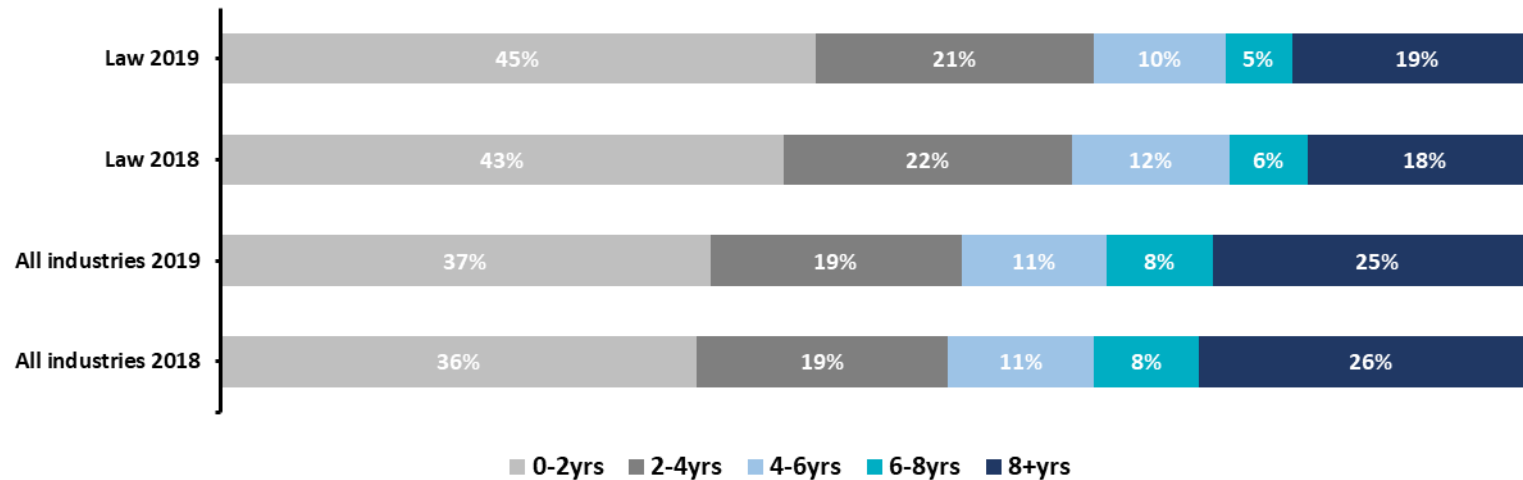
EAP client gender (as % of all clients)



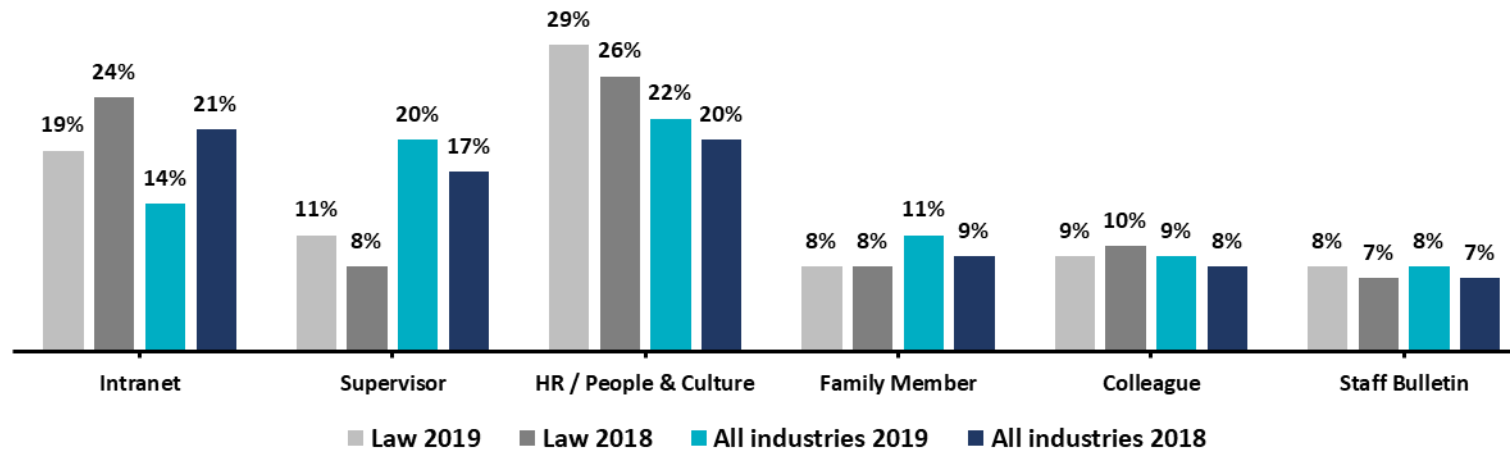
EAP client type (as % of all clients)



EAP client length of employment (as % of all clients)

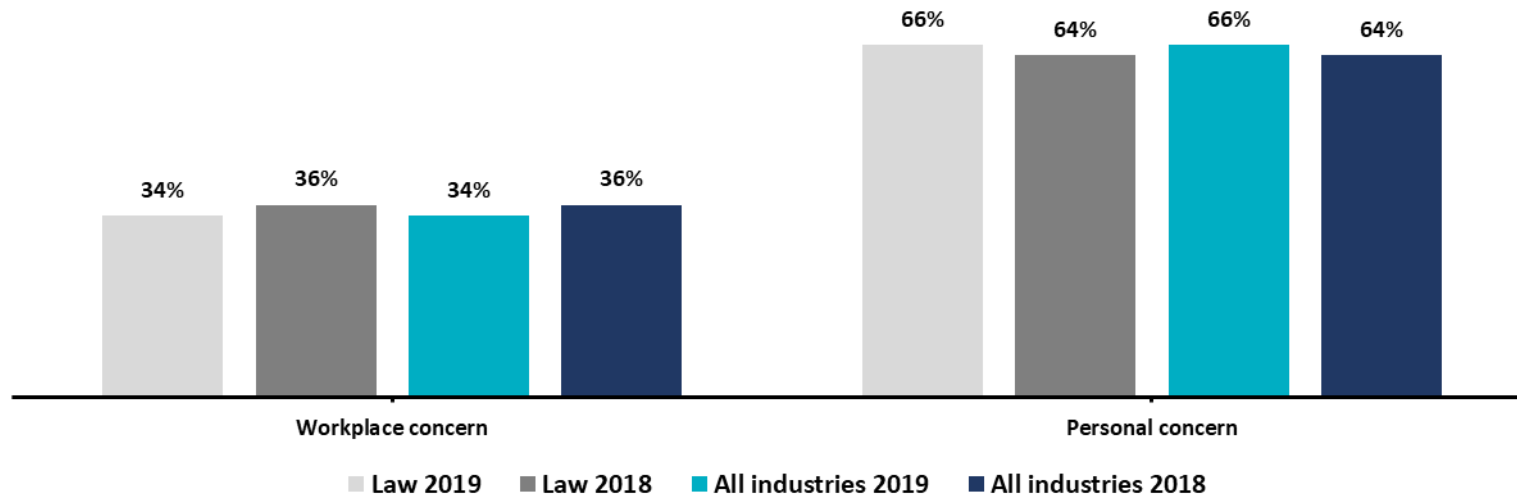


How learnt of EAP? (as % of all clients)

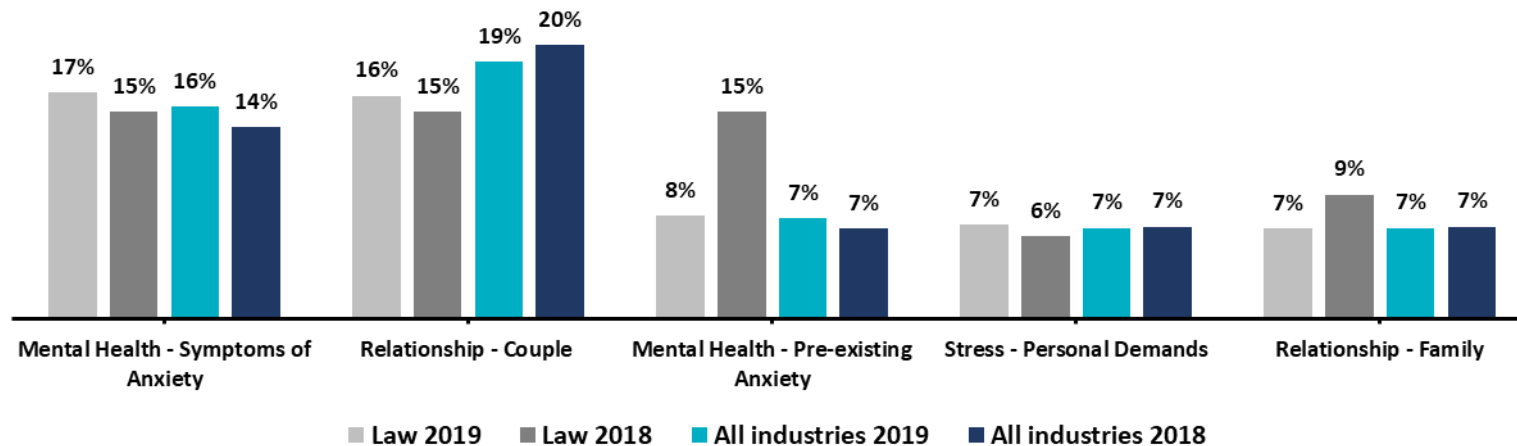


WHY HAVE PEOPLE BEEN ACCESSING EAP?

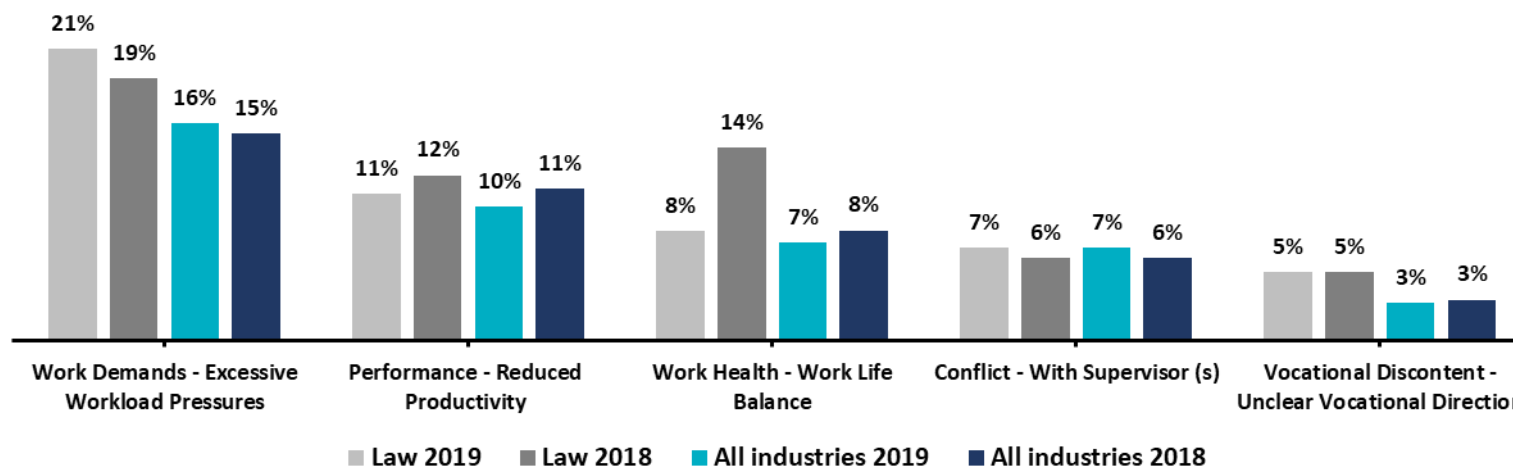
Primary presenting concern (as % of all clients)



Top 5 primary presenting concerns - PERSONAL (as % of all clients)



Top 5 primary presenting concerns - WORKPLACE (as % of all clients)



Reasons Managers accessed Manager Support Program (as % of all MSPs)

