THE CRIMINAL BAR ASSOCIATION

GOVERNANCE PAPER

Wellbeing Framework

1. Purpose and Scope

1.1 This Framework supports the wellbeing of members of the Criminal Bar Association ("the Association") and gives effect to clause 1.6(c) of the Constitution and to the role of the Wellbeing Committee under the Terms of Reference.

1.2 The Framework recognises:

(a) the demanding and emotionally significant nature of criminal practice;

(b) the importance of sustainable working practices for individual practitioners and for the criminal justice system;

(c) the importance of dignity, respect and inclusion in professional life;

(d) that wellbeing is the responsibility of the profession as a whole, supported by the practical work of the Association.

1.3 The Framework operates alongside the Bar Council's Wellbeing at the Bar resources, the resources made available by the Inns of Court, and any safeguarding or welfare arrangements within individual chambers.

2. The Association's Commitment

2.1 The Association is committed to:

(a) promoting wellbeing as a constitutional object of the Association;

(b) supporting initiatives that address the practical pressures of criminal practice;

(c) maintaining a culture of dignity, respect and collegiality at all of its events and in all of its activities;

(d) addressing bullying, harassment and discriminatory conduct firmly, in accordance with the Code of Conduct and the Complaints, Conduct and Behaviour Policy;

(e) directing members to professional sources of support where appropriate, while recognising that the Association is not itself a clinical or therapeutic service.

3. The Wellbeing Committee

3.1 The Wellbeing Committee is a Subcommittee of the Association, established under Part 9 of the Constitution and operating under the Terms of Reference.

3.2 The Committee shall:

(a) support wellbeing initiatives across the criminal Bar;

(b) support engagement concerning bullying, harassment and welfare matters, in cooperation with the Officers;

(c) maintain and review wellbeing guidance and the CBA Wellbeing Protocol;

(d) maintain and keep under review the referral pathways set out in this Framework;

(e) work collaboratively with the Officers, the Administrator and other Subcommittees as appropriate.

3.3 The Wellbeing Committee shall report to the Executive Committee not less frequently than annually on the work undertaken under this Framework.

4. Practical Initiatives

4.1 The Association may, through the Wellbeing Committee, support such practical initiatives as it considers appropriate, including:

(a) awareness raising and education on wellbeing matters;

(b) training on bullying, harassment and discriminatory conduct;

(c) collegiate events and gatherings supporting peer connection;

(d) guidance on managing the practical demands of criminal practice;

(e) support for early-years practitioners through the Young Bar Committee.

5. Referral Pathways

5.1 Members experiencing difficulty may, depending on the nature of the matter, be directed towards one or more of the following sources of support:

(a) their chambers — in particular the Head of Chambers, Senior Clerk, Pupil Supervisor (where applicable) or any designated wellbeing or pastoral lead;

(b) their Inn of Court — most Inns operate confidential wellbeing and pastoral services;

(c) the Bar Council's wellbeing services, including the Bar Council Wellbeing at the Bar resources and the LawCare confidential helpline (which the Bar Council supports);

(d) Talk to Spot or any equivalent confidential reporting service in operation from time to time, for the reporting of bullying, harassment and discrimination at the Bar;

(e) Samaritans (116 123), where the matter relates to mental health and immediate emotional distress;

(f) a registered medical practitioner or qualified counselling service, in respect of clinical matters;

(g) their union or representative body, where the matter concerns employment;

(h) the Hardship Fund of the Association, where the matter has a financial dimension (governed by the Hardship and Bursary Framework).

5.2 The Wellbeing Committee shall maintain a current list of referral pathways and contact information, made available through the Association's website and member communications.

6. Bullying, Harassment and Discrimination

6.1 Bullying, harassment and discrimination are addressed in the Code of Conduct and the Complaints, Conduct and Behaviour Policy.

6.2 The Wellbeing Committee, in cooperation with the Officers, shall:

(a) maintain awareness of bullying, harassment and discriminatory conduct affecting the criminal Bar;

(b) support members who have experienced such conduct in identifying appropriate sources of help;

(c) work with the Bar Council and the Inns of Court to support broader profession-wide initiatives.

6.3 A member experiencing bullying, harassment or discrimination at an event of the Association, or in connection with the Association's activities, may raise the matter with the Officers, the Wellbeing Committee Chair, or the Administrator. The matter shall be handled confidentially and in accordance with the Complaints, Conduct and Behaviour Policy.

7. Confidentiality

7.1 Members of the Wellbeing Committee, and any other person providing assistance under this Framework, shall maintain the confidentiality of any matter raised with them save:

(a) as expressly authorised by the member concerned;

(b) where there is a serious risk to the safety of the member or any other person;

(c) as required by law.

7.2 Records of welfare referrals shall be kept only with the consent of the member concerned, and otherwise for the minimum period necessary, in accordance with the Information Governance Policy.

8. Wellbeing of Officers, Subcommittee Members and Volunteers

8.1 The Association recognises that those who serve as Officers, Subcommittee members and volunteers also experience the pressures of professional life, and may bear additional pressure by virtue of their role.

8.2 The Officers shall:

(a) have regard to the working pressures placed upon those who serve the Association in an unpaid capacity;

(b) avoid creating expectations of availability outside reasonable working hours;

(c) support the proper rotation of demanding roles in accordance with the Constitution.

9. Limitation

9.1 The Association is not a clinical, therapeutic, legal or financial advisory service. The provision of guidance under this Framework is supportive only and does not constitute professional advice. Members in need of professional advice should consult a qualified practitioner.

10. Review

10.1 This Framework shall be reviewed by the Wellbeing Committee, in conjunction with the Officers, not less frequently than every two years.

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