



**JUDICIAL
APPOINTMENTS
BOARD FOR
SCOTLAND**

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WELLBEING POLICY

December 2022

1. Introduction

The Judicial Appointments Board for Scotland (JABS) is committed to providing a safe and healthy working environment for all staff of the Business Management Unit (BMU), Board members and Lay/Legal Appointments Advisors, as far as is practical, to maintain a positive state of physical and mental health and wellbeing.

This policy will apply to BMU staff (permanent or temporary, including agency staff), in conjunction with the wider Scottish Government wellbeing policy (as all members of staff are employees of the Scottish Government), the Board and Lay/Legal Appointments Advisors.

2. Background

The Health and Safety at Work Act 1974 and Management of Health and Safety at Work Regulations 1999 require that JABS take all reasonable steps to minimise the danger to employees, workers and any other individuals of workplace matters creating or worsening physical and mental health difficulties. JABS aims to do this by having a corporate and individual awareness of, assessing and addressing work related risks or hazards, both real and potential which may impact an employee or Board member's health or wellbeing. The nature of JABS' work and working environment means more focus on mental health and wellbeing. JABS will also maintain an awareness, where notified, of personal pressures which may impact on BMU, Board members or Lay/Legal Appointments Advisors work.

JABS also recognises that BMU staff, Board members or Lay/Legal Appointments Advisors may have longer term or recurring health issues which may be considered a disability in accordance with the Equalities Act 2010. To support those in this position, JABS will provide reasonable and practicable adjustments to the workplace which will help remove or ameliorate any resultant issues.

Everyone covered by the scope of this policy is obliged to adhere to and help facilitate the implementation of the policy. Appropriate action will be taken to inform all new and existing employees and others covered by the scope of the existence of the policy and their role in adhering to it. The policy will be reviewed at such times as legislation or a change to the JABS policy position requires it. The policy will be made available to the general public via publication on the JABS website.

3. Recognition of Work Related Mental Health Issues

The mental health difficulty most commonly regarded as potentially work-related is stress. The Health and Safety Executive defines stress as:

“the adverse reaction people have to excessive pressures or other types of demand placed on them”.

There is an important distinction between the beneficial effects of reasonable pressure and challenge which can be motivating and stimulating and stress which can be detrimental to health.

Many factors both inside and outside the workplace can lead to stress. Stress can affect people mentally (anxiety and depression) and physically (heart disease, back pain, alcohol and drug dependency). JABS will take all reasonable steps to ensure that the health of BMU staff, Board members and Lay/Legal Appointments Advisors is not placed at risk through the way in which work is organised; the way in which people deal with each other; and the daily demands placed upon them. It will promote awareness of the symptoms of stress by providing access to relevant resources and encourage employees to report concerns promptly and will provide managers and employees with training on how to recognise and manage stress.

4. Risk Identification

JABS will, as previously noted, maintain an awareness of risks associated with staff, Board and Lay/Legal Appointment Advisor wellbeing and will specifically record identified risks within the existing JABS Risk Register along with making a note of any actions taken in mitigation of said risks.

4.1 Known Risks

Work/Life Balance

JABS workload has been steadily increasing leading to a greater burden of work being placed on both Board Members, Lay/Legal Appointments Advisors and the BMU. JABS shall take steps to minimise the risks of individuals being unduly affected. It is hoped that the proposed increase in staff and Board numbers, along with the appointment of Legal Appointments Advisors and continued use of Lay Appointments Advisors will in itself reduce the risk of JABS work contributing to an adverse work/life balance. BMU staff will ensure that they consult with the Chairing Member when proposing Panels for individual rounds and will clearly identify that they have taken current and anticipated workloads into account when suggesting a Panel. The Chairing Member and Head of Operations will work to ensure that work is allocated as equitably as possible.

Board Members and Lay/Legal Appointments Advisors also have a responsibility to ensure that they make the Chairing Member aware, in a timely fashion, of any issues faced as appropriate and indicate when they are concerned with regards to their workload.

Sensitive Topics

It should be recognised that as a result of the work undertaken by the Board, Lay/Legal Advisors and BMU, individuals may be exposed to material, such as examples of legal writing provided by candidates or interview responses, which may relate to sensitive topics and may be triggering. A warning could be included in the standard Planning Documents which are created for each round which states this. Support could be made available to Board Members, Lay/Legal Advisors and BMU staff who feel affected by anything that comes up in an interview or is read in an application document.

Bullying

JABS will not tolerate bullying, victimisation, harassment or unlawful discrimination against any BMU staff, Board member, Lay/Legal Appointments Advisor, any applicant for employment with the BMU or candidate for inclusion on the Board or panels.

5. BMU and Board Commitments

The Chief Executive will commit to:

- Ensuring that each Board member and Lay/Legal Appointments Advisor is provided with support by way of signposting to appropriate resources.
- Investigating the possibility of having an external resource (such as AXA Healthcare) provide a paid-for on-call service which Board members and Lay/Legal Appointments Advisors could utilise if needed.
- Ensuring that BMU staff are aware of the Scottish Government resources available to them.
- Investigating the possibility of having at least one senior BMU member trained as a Mental Health First Aider (MHFA).
- Liaising with Board members and Lay/Legal Appointments Advisors to determine if any of the individuals are currently trained as an MHFA, or if they have other such training or experience in Wellbeing support which they would be happy to utilise to assist the Board.

6. Measuring Success

The success of this policy will be measured by various methods including, but not limited to:

- Ongoing engagement with the BMU, Board members and Lay/Legal Appointments Advisors
- Consultations with any appointed third party wellbeing providers
- An annual survey of the BMU, Board members and Lay/Legal Appointments Advisors (anonymous) seeking specific feedback on mental health and wellbeing.

DATE 5 January 2023