

News release

New rules on health and wellbeing would help protect clients and the public

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The Solicitors Regulation Authority (SRA) is consulting on proposed changes to its rules that would reinforce its powers to deal with risks to clients and the public when these stem from a poor work culture in law firms.

The proposals also seek to clarify the SRA's approach to situations where a solicitor's health issues affect their ability to practise or to participate in our enforcement processes - for instance because illness means a hearing cannot fairly proceed.

The proposed changes include:

- introducing explicit obligations in the Codes of Conduct for both firms and individuals to treat colleagues fairly and with respect, and not to engage in bullying, harassment and unfair discrimination
- clarifying that the SRA can take action to manage risks arising from an individual solicitor's health issues at any point, including at admission stage, and through conditions on a practising certificate or registration.

A recent SRA Workplace Culture Thematic Review

[<https://www.sra.org.uk/sra/research-publications/workplace-culture-thematic-review/>] found that while three quarters of respondents reported working in a broadly positive environment, there are still concerns and issues about the pressures on solicitors. Previous research, including by the charity LawCare and the Junior Lawyers Division of the Law Society, has highlighted high levels of stress and even bullying and discrimination in the sector.

The new consultation sets out the obligations the SRA is proposing to bring in to tackle these issues, building on the guidance it launched earlier this month. Having recently reviewed its disciplinary processes to ensure that health issues are explored as early as possible and resolved in a proportionate way, the SRA is now also consulting on rules relating to where a solicitor's health raises regulatory risks.

Juliet Oliver, SRA General Counsel of the SRA, said: "A poor workplace culture can not only affect wellbeing, with all the distress and concern that brings, but also ethical behaviour, competence and ultimately the standard

of service received by clients. It's timely that, further to our recent thematic review and guidance, we consult on new rules that explicitly spell out what we expect from the firms and individuals we regulate.

'We also want to set out what the position is when a solicitor's health issues may be affecting their ability to practise or to participate in our enforcement processes. It's in everyone's interests to get this right so we can manage any potential risks in a fair and proportionate way for all involved.'

The consultation [<https://www.sra.org.uk/sra/consultations/consultation-listing/health-wellbeing-profession/?s=o>] runs for 12 weeks, until Friday 27 May. Once feedback from stakeholders has been collated, the SRA will report to its Board for a final decision. Any proposals for additional rules would then be submitted to the Legal Services Board for final approval.