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Perceptions of wellbeing among heads of UK law schools

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ABSTRACT

In recent years there has been increasing acknowledgement of wellbeing issues within law schools both in the UK and elsewhere. Discussion of staff and student wellbeing within higher education generally has similarly increased. Existing evidence suggests that there are aspects of law as a discipline, its norms and its culture, which may contribute to lower levels of wellbeing and higher levels of mental health issues among students and staff. Although a range of data has been collected from both law students and legal academics, there has been little focus to date on the perceptions of heads of law schools, either in the UK or elsewhere. This paper will provide an analysis of 16 qualitative semi-structured interviews with heads of UK law schools. Themes that emerged include: the significance of the Covid-19 global pandemic, evolving definitions of wellbeing, variations in institutional resources, leadership and strategic approaches to wellbeing, the importance of relationships and relationality, barriers and enablers to wellbeing within staff roles, barriers and enablers to wellbeing within the student experience, the role of personal tutoring, and identifying and implementing possible solutions. These themes are discussed through the application of Self-Determination Theory, in particular Basic Psychological Needs Theory. The findings highlight heads of UK law schools operating in a complex institutional and sector-wide climate with a wide range of challenges to the wellbeing of both staff and students. They also demonstrate a range of opportunities and possible solutions to enhance wellbeing. The wellbeing of heads of schools themselves is also considered. A series of recommendations are provided for law schools to consider based on these findings.

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KEYWORDS Legal education; heads of school; wellbeing

Introduction

This paper provides an in-depth analysis of how heads of UK law schools perceive the wellbeing of their students and staff. It explores both challenges and opportunities within law schools, as well as highlighting the ways such managerial and leadership roles can have an impact upon the wellbeing of the individuals performing them.

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Applying Self-Determination Theory (SDT) and Basic Psychological Needs Theory (BPNT) provides a theoretical framework for this analysis and informs a set of recommendations for law schools to adopt to promote positive wellbeing among students and staff.

Across UK higher education institutions (HEIs) there is an increasing realisation that educators should seek to address student wellbeing. This is reflected in sector-wide initiatives such as the Universities UK Step Change Framework[1] and the University Mental Health Charter[2] which promote a "whole university" approach to wellbeing, challenging binary (and often gendered) distinctions between the pastoral and the academic.[3]

There are a range of imperatives driving this growing acknowledgement. One is an increasing emphasis upon wellbeing and mental health by the sector's regulator, the Office for Students, which in 2023 set a target for all universities to be signed up to the University Mental Health Charter by September 2024.[4] Another is the large body of evidence demonstrating correlations between student wellbeing and student engagement, motivation and progression in their studies.[5] Evidence on wellbeing in academia also highlights high levels of work-related demands and low levels of protective resources, leading to issues with both wellbeing and effectiveness.[6] These connections are particularly relevant to law schools as there is international evidence that, due to the nature of the discipline, law students are more susceptible to experiencing low wellbeing and higher levels of mental health issues than other student populations.[7]

Ensuring the wellbeing of legal academics can be considered a critical starting place for sustaining the wellbeing of law students.[8] Within law schools the role of the Head of School (HoS) is crucial in this respect.[9] The growth of managerialism within HEIs is well documented. As Winter and O'Donohue note:

[1]Universities UK, *StepChange: Mentally Healthy Universities* <www.universitiesuk.ac.uk/what-we-do/policy-and-research/publications/features/stepchange-mentally-healthy-universities> accessed 7 June 2024.

[2]Gareth Hughes and Leigh Spanner, "The University Mental Health Charter" (Student Minds 2019) <https://hub.studentminds.org.uk/university-mental-health-charter/> accessed 7 June 2024.

[3]ibid; see also Barbara Bagilhole and Jackie Goode, "The 'Gender Dimension' of Both the 'Narrow' and 'Broad' Curriculum in UK Higher Education: Do Women Lose Out in Both?" (1998) 10 Gender and Education 445.

[4]Office for Students, "Funding Boost to Support Student Minds' University Mental Health Charter" (28 February 2024) <www.officeforstudents.org.uk/news-blog-and-events/press-and-media/funding-boost-to-support-student-minds-university-mental-health-charter/> accessed 6 May 2024.

[5]Chi Baik, Wendy Larcombe and Abi Brooker, "How Universities Can Enhance Student Mental Wellbeing: The Student Perspective" (2019) 38 Higher Education Research & Development 674.

[6]Siobhan Wray and Gail Kinman, *Supporting Staff Wellbeing in Higher Education* (Education Support 2021) <www.educationsupport.org.uk/media/x4jdvxpl/es-supporting-staff-wellbeing-in-he-report.pdf> accessed 12 August 2024; Michelle Jayman, Jonathan Glazzard and Anthea Rose, "Tipping Point: The Staff Wellbeing Crisis in Higher Education" (2022) 7 Frontiers in Education, Article 929335.

[7]Emma Jones, Rajvinder Samra and Mathijs Lucassen, "The World at Their Fingertips? The Mental Wellbeing of Online Distance-Based Law Students" (2019) 53 The Law Teacher 49; Norm Kelk and others, *Courting the Blues: Attitudes Towards Depression in Australian Law Students and Lawyers* (Brain & Mind Research Institute 2009); Kenneth S Sheldon and Larry S Krieger, "Understanding the Negative Effects of Legal Education on Law Students: A Longitudinal Study of Self-Determination Theory" (2007) 33 Personality and Social Psychology Bulletin 883.

[8]J Clare Wilson and Caroline Strevens, "Perceptions of Psychological Well-Being in UK Law Academics" (2018) 52 The Law Teacher 335;Colin James and others, "Student Wellbeing through Teacher Wellbeing: A Study with Law Teachers in the UK and Australia" (2019) 10(3) Student Success 76; Colin James and others, "The Changing World of Legal Education: A Comparison of Law Teachers' Well-Being and Perceptions of Stress at Work in Australia and the UK" in Michael Legg, Prue Vines and Janet Chan (eds), *The Impact of Technology and Innovation on the Well-being of the Legal Profession* (Intersentia 2020).

[9]Within HEIs there is a range of terminology used to capture programmes of legal education. The term "law school" is used here to encompass law departments, faculties, divisions and other such groupings. Similarly, the term "Head of School" is used to capture the role which provides direct leadership within the law school.

> . . . economic-consumer conceptions of higher education and associated systems of corporate management are taking centre stage as major sensitising issues framing the nature of academic work and identity.[10]

As the individual who commonly has line management responsibility for staff within a law school, the HoS has an influence over issues of academic work and identity that have a direct impact on levels of staff wellbeing.[11] They also have a significant influence on student wellbeing, either through their impacts upon staff or because of decisions taken which directly affect students (for example, on the shape of the curricular and extracurricular offerings of the school). In addition, the HoS's attitude and approach to legal education, management and leadership are likely to have a significant involvement in shaping the overall culture of the law school.[12] Therefore, to understand whether and how wellbeing is being acknowledged within law schools, barriers and enablers to staff and student wellbeing, and the place of wellbeing in law school culture it is important to examine the perceptions of HoSs.

Literature on the role and perceptions of HoSs specifically within UK law schools is relatively sparse although there is a larger quantity focused upon Deans of US law schools.[13] However, there is a significant wider body of literature on the role of "middle managers" in UK HEIs more generally which this paper is situated within. A common theme in this body is the multifaceted nature of a HoS role, with reference made to the need "to assume a range of personal and professional identities".[14] This is often linked to shifts within the wider higher education landscape, including the growth of neoliberal managerialism.[15] The impact of these shifts is not limited to academics in leadership positions,[16] but it is particularly significant for middle managers who must seek to balance the demands of senior management with those of their subordinate colleagues.[17] When implementing strategy within the NHS, Harding, Lee and Ford describe "middle managers" as "being subjects and objects of control and subjects and objects of resistance", controlled by seniors and controlling subordinates on occasion, but also resisting control and being resisted at times.[18] Gjerde and Alvesson

[10]Richard P Winter and Wayne O'Donohue, "Academic Identity Tensions in the Public University: Which Values Really Matter?" (2012) 34 Journal of Higher Education Policy and Management 565, 566; see also PM Ross, E Scanes and W Locke, "Stress Adaptation and Resilience of Academics in Higher Education" (2024) 25 Asia Pacific Education Review 829.

[11]Sabre Cherkowski and others, "Conceptualising Leadership and Emotions in Higher Education: Wellbeing as Wholeness" (2021) 53 Journal of Educational Administration and History 158.

[12]Robert Post, "Leadership in Educational Institutions: Reflections of a Law School Dean" (2017) 69 Stanford Law Review 1817; Michael T Colatrella Jr, "Leading Law Schools: Relationships, Influence, and Negotiation" (2022) 91 University of Cincinnati Law Review 82; Agnes Bäker and Amanda H Goodall, "Feline Followers and 'Umbrella Carriers': Department Chairs' Influence on Faculty Job Satisfaction and Quit Intentions" (2020) 49 Research Policy, Article 103955.

[13]See, for example, Jeff Allum, Katie Kempner and Judith Areen, *The American Law School Dean Study* (AALS/NORC 2021) <www.norc.org/content/dam/norc-org/pdfs/AALS%20Report_American%20Law%20School%20Dean%20Study_FINAL_508.pdf> accessed 12 August 2024.

[14]Alan Floyd and Clive Dimmock, "'Jugglers', 'Copers' and 'Strugglers': Academics' Perceptions of Being a Head of Department in a Post-1992 UK University and How It Influences Their Future Careers" (2011) 33 Journal of Higher Education Policy and Management 387, 387.

[15]Winter and O'Donohue (n 10); Ross, Scanes and Locke (n 10).

[16]Jennie Billot, "The Imagined and the Real: Identifying the Tensions for Academic Identity" (2010) 29 Higher Education Research & Development 709.

[17]S Gjerde and M Alvesson, "Living the Janus Face: The Promise and Perils of Role-Distancing for Middle Managers" (2024) Journal of Management Studies (forthcoming).

[18]Nancy Harding, Hugh Lee and Jackie Ford, "Who Is 'the Middle Manager'?" (2014) 67 Human Relations 1213, 1214.

suggest that the most common position for "middle managers" in UK business schools is that of "umbrella carriers", sheltering subordinates by resisting initiatives from senior management which are deemed as inappropriate or not required.[19] They also note that some "middle managers" feel "stuck between levels without agency to influence either upwards or downwards".[20] The emotional labour involved in juggling these identities and loyalties has also been emphasised.[21]

This paper analyses original empirical data drawn from interviews with UK HoSs to examine these issues through the lens of SDT, in particular BPNT. After a summary of relevant literature and discussion of research methodology, the data analysis illuminates a range of strategic approaches taken by the various HoSs, aimed at enhancement of staff and student wellbeing. The application of BPNT informs the resulting discussion and recommendations.

Self-determination theory and BPNT

SDT is a complex theory of motivation and engagement developed using empirical studies. In the words of Ryan and Deci it is significant and powerful because "It allows for prediction of social conditions that promote high quality development and performance".[22]

One of SDT's core sub-theories is BPNT. This argues that there are three basic psychological needs which must be satisfied for individuals to thrive, namely, autonomy, competence and relatedness.[23] These concepts are explained by Krieger and Sheldon as meaning respectively being authentic, effective, and feeling connected to others.[24] The concept of autonomy embraces the importance of personal values as it enables an individual to make meaningful choices that are aligned with one's personal values.[25] Larcombe, Baik and Finch summarise these needs clearly in the following quotation:

> Theoretical and empirical research in the "positive psychology" tradition has shown that, to flourish, individuals need regular experiences of striving, growth, connectedness to others, and meaning in life … These positive psychological experiences are not only valuable to wellbeing; they also "buffer" against negative emotions and stress …[26]

[19]Susann Gjerde and Mats Alvesson, "Sandwiched: Exploring Role and Identity of Middle Managers in the Genuine Middle" (2020) 73 Human Relations 124, 126; for a different theoretical interpretation see Stephen J Frenkel, "Embedded in Two Worlds : The University Academic Manager's Work, Identity and Social Relations" (2023) 51 Educational Management, Administration & Leadership 1087.

[20]Gjerde and Alvesson (n 19).

[21]Megan Crawford, "'Being' a Head of Department in an English University" (2023) 75 Educational Review 1168.

[22]Edward L Deci and Richard M Ryan, "The 'What' and 'Why' of Goal Pursuits: Human Needs and the Self-Determination of Behavior" (2000) 11 Psychological Inquiry 227, 262; see also Richard M Ryan and Edward L Deci, "Self-Determination Theory and the Facilitation of Intrinsic Motivation, Social Development, and Well-Being" (2000) 55 American Psychologist 68, 68.

[23]ibid.

[24]Larry S Krieger and Kennon M Sheldon "What Makes Lawyers Happy: A Data-Driven Prescription to Redefine Professional Success" (2014) 83 George Washington Law Review 554.

[25]Maarten Vansteenkiste and others, "Fostering Personal Meaning and Self-Relevance: A Self-Determination Theory Perspective on Internalization" (2018) 86 The Journal of Experimental Education 30; Anna Huggins, "Autonomy Supportive Curriculum Design: A Salient Factor in Promoting Law Students' Wellbeing" (2012) 35 University of New South Wales Law Journal 683.

[26]Wendy Larcombe, Chi Baik and Sue Finch, "Exploring Course Experiences that Predict Psychological Distress and Mental Wellbeing in Australian Undergraduate and Graduate Coursework Students" (2022) 41 Higher Education Research & Development 420, 421.

Conversely, BPNT indicates that if these three needs are absent there will be adverse consequences for mental health, persistence and achievement.

> Social contexts and individual differences that support satisfaction of the basic needs facilitate natural growth processes including intrinsically motivated behavior and integration of extrinsic motivations, whereas those that forestall autonomy, competence, or relatedness are associated with poorer motivation, performance, and well-being.[27]

Research has indicated that obstructing these needs increases the risk for maladjustment, including lowering levels of wellbeing and motivation.[28] Deci and Ryan anticipated that this theory would be of universal application and welcomed research to challenge and refine how different cultural norms might affect values and goals:

> According to SDT, the three basic psychological needs are universal and thus must be satisfied in all cultures for people to be optimally healthy.[29]

Research has been conducted to examine the links between goals, needs and wellbeing according to varying cultural norms and socialisation traditions.[30] King, Haw and Wang tested the application of BPNT in the educational context and found, across 70 countries, considerable positive outcomes from need-supportive teaching regardless of culture, economic conditions and political system.[31] This claim of universality of application has influenced the choice of this sub-theory to analyse HoS's perceptions of wellbeing within law schools.

SDT is also concerned with intrinsic and extrinsic motivation.[32] Studies by Deci and Ryan have shown that there is a link between intrinsic motivation and higher levels of wellbeing, as well as greater persistence and achievement.[33] If basic psychological needs are fulfilled, this is likely to result in greater intrinsic motivation through the internalisation of values.[34]

Project methodology

This project involved the conduct of 16 semi-structured interviews of individuals who were leading (or had until recently led) law schools within a range of UK HEIs. The aims were to ascertain the extent to which discipline-specific measures had been put in place to address staff and student wellbeing, and the effectiveness of such measures. Ethical clearance from the University of Portsmouth was secured to carry out this data collection. Participants were from three types of universities: 15% Russell Group, 38% plate

[27]Deci and Ryan, "The 'What' and 'Why' of Goal Pursuits" (n 22) 227.
[28]Maarten Vansteenkiste, Richard M Ryan and Bart Soenens, "Basic Psychological Need Theory: Advancements, Critical Themes, and Future Directions" (2020) 44 Motivation and Emotion 1, 2.
[29]Deci and Ryan, "The 'What' and 'Why' of Goal Pursuits" (n 22).
[30]For a discussion of recent research that considers different cultural, economic and political systems see Richard M Ryan and Edward L Deci, "Brick by Brick: The Origins, Development, and Future of self-Determination Theory" (2019) 6 Advances in Motivation Science 111; Richard M Ryan and Edward L Deci, "Intrinsic and Extrinsic Motivation from a Self-Determination Theory Perspective: Definitions, Theory, Practices, and Future Directions" (2020) 61 Contemporary Educational Psychology, Article 101860.
[31]Ronnel B King, Joseph Y Haw and Yi Wang, "Need-Support Facilitates Well-Being across Cultural, Economic, and Political Contexts: A Self-Determination Theory Perspective" (2024) 93 Learning and Instruction, Article 101978.
[32]Edward L Deci and Richard M Ryan, "Conceptualizations of Intrinsic Motivation and Self-Determination" in *Intrinsic Motivation and Self-Determination in Human Behavior* (Springer 1985) 11.
[33]Ryan and Deci, "Self-Determination Theory" (n 22); Ryan and Deci, "Brick by Brick" (n 30); Ryan and Deci, "Intrinsic and Extrinsic Motivation from a Self-Determination Theory Perspective" (n 30).
[34]Deci and Ryan, "The 'What' and 'Why' of Goal Pursuits" (n 22) 235–36.

glass/red brick (pre-92, non-Russell Group) and 47% post-92 (former polytechnics). The questions aimed to capture participants' views, experiences, feelings and beliefs about managing wellbeing in law students and staff (see the Appendix).

The interviews were professionally transcribed and coded in NVivo using reflective thematic analysis.[35] This resulted in the identification of seven key themes: The significance of the Covid-19 global pandemic, definitions of wellbeing, variations in institutional resources, leadership and strategic approaches to wellbeing, the importance of relationships and relationality, barriers and enablers to wellbeing within staff roles, barriers and enablers to wellbeing within the student experience, the role of personal tutoring, and identifying and implementing possible solutions.

Where quotations are used in this paper, repetition of words and phrases has been edited out for clarity of meaning. Quotations of five words or under are not attributed. For quotations of over five words, a pseudonym and the type of university are given.

Limitations

All HoSs who were members of the Committee of Heads of University Law Schools received an invitation to participate in this study. Personal invitations were also sent to individuals within the authors' networks. Despite this, the number of participants remains low. It is likely that HoSs engaged were those who were most interested or knowledgeable about wellbeing. No purposive sampling was undertaken so it is not possible to identify how representative the results are of specific types of law school.

Key themes

The significance of the Covid-19 global pandemic

The interviews for this study were conducted during the summer and autumn of 2022. This was at a point where, in the UK at least, law schools appeared to have reverted to their pre-pandemic norms, with in-person teaching and learning once again prevailing after the online pivot of lockdown periods. Despite this, the impacts of Covid-19 were referred to by a range of participants, in terms of both its previous and ongoing impacts:

> I think the adjustment from a campus institution to effectively an online one and back has had a significant impact on people's wellbeing because everything changed and there seems to be an expectation now that everything just snaps back to normal and that can't be like that, so navigating that is tricky for some people, for me included. (Peter, plate glass/red brick)

Several participants indicated that there had been detrimental impacts upon staff, including isolation and a lack of autonomy during remote teaching periods and increases in workload demands and expectations. There was also reference to students dealing with both physical and mental health issues during lockdowns and missing out on a wide range of experiences. There was discussion of students struggling to readjust in the aftermath, resulting in high levels of anxiety (for example, around speaking in public) and a "kind of emotive disengagement with study" (John, post-92):

[35]Virginia Braun and Victoria Clarke, "Using Thematic Analysis in Psychology" (2006) 3 Qualitative Research in Psychology 77; Virginia Braun and Victoria Clarke, "Reflecting on Reflexive Thematic Analysis" (2019) 11 Qualitative Research in Sport, Exercise and Health 589; Virginia Braun and Victoria Clarke, *Thematic Analysis: A Practical Guide* (SAGE 2021).

> At the moment I think we're seeing quite high levels of anxiety post lockdown, and also . . . a side-effect of students coming to us after having finished their schooling in their bedrooms and coming to us . . . even when they've been with us studying remotely, is that relationships and communication have broken down I think around expectations. (Robert, post-92)

There was also some mention of approaches and initiatives developed during the pandemic which could have a positive impact on wellbeing, for example, sending daily emails to students, holding informal online staff meet-ups and allowing hybrid models of teaching to support colleagues. However, there seemed uncertainty over whether such practices would continue post-pandemic:

> I suppose that the big question is the post-pandemic context [is] if we have learned something or not from the pandemic about wellbeing. (Anika, post-92)

Elements of digital wellbeing relating to Covid-19 were also referred to in relation to both staff and students. Some positive aspects were noted, such as the opportunities for flexible working, creating a "better work–life balance" for staff. However, most of these discussions focused upon negative impacts. For example, the "relentless" email traffic was highlighted, together with the resultant pressure to respond quickly. Putting in place an email policy was noted as a potential solution to this. Another element discussed was the practical hurdles of adapting to and dealing with different types of technology. The increased use of social media by students was also referred to as having both positive and negative impacts, increasing communication but also exacerbating arguments.

Definitions of wellbeing

There was a consensus among HoSs that wellbeing is a holistic concept. It involves thriving and flourishing and having a sense of purpose, being calm and taking care of ones self. Stress was perceived as linked to negative wellbeing. For some the definition was the same for staff and students and involved a sense of coping with the ups and downs of life and being part of a safe community.

> . . . it's about people having both the perception that they are able to thrive and flourish in what they do, and what they do gives them meaning, and that they are able to thrive and flourish and that that thing gives them meaning. (John, post-92)

> . . . everyone should, should feel . . . safe, happy and well doing what they are doing at the university, we should be a community. (Peter, plate glass/red brick)

For staff, performance and recognition and home/work balance were part of the definition:

> I don't think it means existing in a life that is free from stress, I think it's about being able to manage appropriate levels of stress in a positive way, and to be able to . . . feel that you're doing a job which is satisfying and isn't having a negative effect on you as an individual either in the workplace or additionally in your home life. (Susan, plate glass/red brick)

For students there was a link with expectations:

> . . . we can have students who complain quite vociferously that they've not been taught properly, and by what they mean . . . is they haven't been given one simple single certain answer, and they're working as hard as they can, and they're working as hard as everybody else, they want it

> really badly so someone must be to blame for them not getting a first class mark. (Robert, post-92)

Some HoSs noted a changing understanding of the term "wellbeing" which was viewed as unhelpful, characterising it as a "tick box" exercise. Some HoSs found the term difficult to define and noted staff also struggling to articulate relevant issues:

> I think there is a fluidity to the term and it's not used in a consistent way to mean one thing or another. (Joanna, post-92)

> . . . the thing that I've found with members of staff is that they get quite, tongue-tied isn't the right word, they just don't feel confident in sharing cos they don't have the necessary language to explain how they feel. (Natalie, post-92)

Variations in institutional resources

The importance of centralised services in supporting student mental health and wellbeing was noted, and their excellence in responding to urgent serious cases and the provision of digital resources were praised. However, most HoSs decried the lack of investment in these services:

> So there is this central student wellbeing team that is nominally responsible for promoting student wellbeing, I think what they're actually really doing, because they don't have enough resources, is spending their time prioritising really urgent mental health cases to deal with and signpost, and actually I don't think there is any scope in the work that they do to actively promote wellbeing in any kind of meaningful way. (Eleanor, post-92)

It was noted that the increasing centralisation of student services overall had a negative impact on staff workload and wellbeing by making student support less easily accessible, for example, due to services being difficult to locate or overwhelmed. It was indicated that this led to more complex and distressing issues being raised with academic staff. The nature of such issues, the time involved in resolving them and the lack of appropriate expertise were highlighted as matters of concern:

> . . . it seems to me that then academics we're taking on more and more tasks, and sometimes it's because of the simple fact the professional service, they've collapsed, so they are dealing with so many requests that they cannot respond anymore to students. (Anika, post-92)

> So this morning I've just been dealing with a doctoral student with severe mental illness, and I've just recently dealt with attempted suicide . . . I don't get very much more help or support. In terms of, we're very much trained, or advised, if a student approaches you this is what you have to do, and refer it . . . (Toby, post-92)

Due to these issues, and a perceived loss of localised knowledge about students, some HOSs had invested in academic time or created new professional services posts to support students within the law school (although one did emphasise the need for boundaries between law school and central institutional initiatives). The physical location and localised knowledge of such professional service staff were viewed as important:

> . . . their office was right at the, the front of the building . . . so a lot of the time students would go in to see them and they could fix a lot of things very swiftly . . . (Joseph, post-92)

> . . . everyone has to work so much harder to build a relationship with their named contacts, cos it's just an amorphous hub really. (Joanna, post-92)

Putting in place such localised provision emphasises the significance of HoS access to institutional resources in terms of being able to manage staff and student wellbeing. Such access appeared to vary considerably between institutions. Even where resources were available, time pressure and a perceived lack of expertise were significant obstacles:

> And I mean departments like the ones I've run have generally not been short of money, so it's not been a lack of money, it's really been a lack [of] time to think about it, or imagination to think about it. (Matthew, Russell Group)

Leadership and strategic approaches to wellbeing

The participants held very clear views about their strategic approach to managing the wellbeing of their staff and addressed this in substantially greater detail than student wellbeing. The latter was not considered unimportant but was largely delegated to others within the law school and it was only the most difficult complex cases that came to the HoS for consideration.

Making time available to see staff, getting to know staff really well, understanding what staff needed to succeed and taking active steps to provide that support were described by participants as key aspects of their role. Furthermore, gaining the trust of staff was perceived as crucial if the HoS was to ensure staff disclosed problems relating to wellbeing. Communication was an important part of the strategy with participants stressing the need for their staff to feel that they can come to them to chat, share experiences and talk to them in person rather than using an online central system:

> . . . the team needs to feel as if I have, have their back and that if they need to talk to me they know that they can, of they need to sound off they know that they can, and that I'm not going to take it personally, cos I don't, I have that Teflon thing, but I do listen, I do say the things that I need to say but also recognise that, that person's not right. (Natalie, post-92)

HoSs highlighted the need to be honest and calm in order to develop this relationship of trust:

> . . . for me the biggest thing I can do is around kind of being really honest and transparent about everything, so I'm really honest and transparent about budgets, because I think that helps people understand when I make the decisions that I make. (Eleanor, post-92)

> . . . so it's about me being calm and me making sure that they understand the position . . .

> So it's about making sure that, using the phrase that my mum always used to use, it's steady the bus, if there's a problem we'll deal with it, if there is an issue it's fine, and it's that sort of calmness and measuredness from my perspective that I need to radiate. (Natalie, post-92)

The HoSs highlighted factors that they could control, such as their strategic approach as outlined above, and those that they could not. The higher education context and institutional policy were highlighted as important influences in the ability of HoSs to address wellbeing in staff and students. HoSs were concerned that competitive pressures on universities were leading to greater pressurse and poorer wellbeing for staff and that workload models in the sector were underestimating what was required to address institutional objectives. Furthermore, centralisation and constant change were considered to have negative impacts on workload. HoSs regarded themselves as protectors who mediated and translated messages that came down from the institution.

> . . . we are assessed by performance and by metrics. And when we have the pressure coming from the centre of the vice-chancellor or the pro-VCs with regard to improving the metrics right, you need to come up with plans overnight, you need to ask colleagues to, you know to chip in, to go the extra mile, when colleagues are already doing a lot right, and that's something that . . . you need be very careful about how you communicate this measures and also how you implement the measures right. (Anika,post-92)

> . . . last year has been particularly challenging, more things have become centralised but I can't really say that that's reduced my workload in any way but I don't think heads of school have the same autonomy that they had when I began as head of school. (Susan, plate glass/red brick)

> I spend an awful lot of time kind of deflecting crap that comes from the top, and there are some messages that I will just absolutely not pass down. (Eleanor, post-92)

The impact of this role on the wellbeing of the HoS was apparent as participants critiqued the context within which they worked and noted the insufficient support provided for staff at all levels.

> . . . as a middle [manager] you get no recognition for that work. So the people from below spend their life complaining to you, and you do everything you can to fend off what's coming down from above, but then also you have to make sure that the people above you are happy, that you have to make sure that you take all the pressure, that you don't let it flow to the people below. (Samantha, post-92)

> . . . it shouldn't be my responsibility as head of school to try and keep people well and healthy and happy, but it kind of feels like it is because the institution isn't going to do it. And that then means that staff are incredibly dependent on their head of school, or their line manager, on taking wellbeing seriously. (Eleanor, post-92)

The importance of relationships and relationality

In terms of relationships and relationality, a key aspect highlighted by HoSs was the relationships between staff and students. Several referred to the importance of these in building a sense of community and facilitating the sharing of relevant information, for example, about a student's personal situation:

> . . . if everyone's taking part in the life of the law school then that community will build up and people will feel that they're in charge of their voice within that community. (John, post-92)

> . . . I think conversations happen when there are relationships and they don't happen . . . when they're not, they just remain unspoken. (Robert, post-92)

The observations from HoSs also made it clear this is a bi-directional relationship. For example, staff could be adversely affected by student complaints and the demands placed upon them, while students could be adversely affected by a lack of resources (in this case, the loss of members of a teaching team).

> . . . so a thriving . . . law school in terms of wellbeing would be thriving for students and staff, and the school which struggles on one will struggle on both of them, although it looks like one is the result of the other . . . they're the same thing. (John, post-92)

A range of ways to develop positive staff–student relationships were identified, including drawing on principles from restorative justice, using students within decision-making, staff participation in student societies, online discussion forums, working with disengaged students, interacting casually with individual students, and sending out student newsletters. The importance of personal tutoring in fostering relationships

was particularly emphasised. At the same time, the need for boundaries in staff–student relationships was also highlighted by several participants to avoid overload and ensure it was clear that personal tutors were not counsellors.

Relationships between staff themselves were also discussed with several HoSs identifying community as important for positive wellbeing:

> . . . the best thing you can do really to support staff wellbeing is to have a . . . staff where people feel that they belong, where they feel that there's a sense of community . . . they're never going to get on with everybody in the school but they can work in a way where they feel supported and not isolated, and there are people that they can share their experiences with. (Susan, plate glass/red brick)

Suggested ways to foster community included social events, team-building experiences, workshops on ways of working, a staff room, involving staff in decision-making, fostering autonomy, setting clear goals and strategies for teams, being transparent about workloads and budget, having an open-door policy, drop-ins and both formal and informal meetings, conversations and mentoring (when accompanied by appropriate training). One HoS highlighted particularly the importance of comfort and safety:

> I think it's that combination of feeling comfortable and safe in your workplace, feeling comfortable and safe in being able to say to someone you can't cope. (Natalie, post-92)

At the same time, the potentially detrimental wellbeing impacts of difficult staff relationships were also highlighted, including tensions between academic and non-academic staff and incidents of bullying. Intersectionalities between gender, race and wellbeing were also acknowledged by some participants (mainly focused upon staff, but with some reference to students). Similarly, the issue of stigma around wellbeing, mental health and personal issues was mentioned:

> For staff members it's more difficult, because you don't want that on your record you know . . . (Anika, post-92)

The third key aspect discussed in relation to this theme was relationships between students. The importance of students feeling they belong was particularly emphasised:

> I also think that feeling like part of a community, feeling like they belong in a place is important to a student's wellbeing, I think that's one of the key things that keeps them in a place, feeling like they matter is important. (Peter, plate glass/red brick)

One participant also indicated a possible link to academic achievement:

> I think you learn through mistakes and so you have to be in an environment where you're not afraid to make mistakes, and if every time you make a mistake you feel like you're a fraud then you have a very cautious approach to you learning, which means that you don't really learn. (Robert, post-92)

Several participants talked about actively promoting student belonging within their law schools, for example, via peer mentoring schemes and consultations with students. However, it was also noted that students may create their own communities (for example, using WhatsApp) and may also find a sense of belonging in the wider university community. It was also acknowledged that students are not a homogenous population, with possible tensions identified:

> We had some contest between students sitting at the back and chatting and students sitting at the front and wanting absolute silence. (Robert, post-92)

Barriers and enablers to wellbeing within staff roles

HoSs identified a range of barriers to, and enablers of, positive wellbeing, with staff time and workloads identified as key. A common theme was the high level of pressures and expectations placed upon staff (through both institutional and sector-wide demands), the needs and expectations of students and (one participant suggested) through individual staff members' own sense of "desire and drive":

> … I think there is almost an assumption that academics can take on endless amounts of additional work and also new ways of working and aren't also as supported with that … as they could be and should be. (Susan, plate glass/red brick)

> … there are tensions between teaching and teaching … and doing course management and doing everything that's asked from you, and looking after students and responding … promptly and fully, and any academic work and writing you're going to do, so those pull in different directions. (Robert, post-92)

These pressures were identified as leading to a lack of staff engagement with wellbeing initiatives, a loss of "organisational citizenship" and difficulties in finding the time and correct mindset to engage in research. One HoS emphasised the amount of time and care they put into trying to resolve these issues:

> I do feel that responsibility to try and create fair workloads, manageable workloads, fair and manageable timetables … to me actually that is one of the most important parts of my job because it has such an impact on people's lives. (Eleanor, post-92)

Another barrier identified was the level of change which staff had to deal with. This included institutional change, change in the expectations and culture of students, shifting objectives for staff (for example, alterations to promotion criteria) and also wider societal change:

> And we're talking about an awful lot of systemic change, and none of which was particularly well thought through or holistically done. (Peter, plate glass/red brick)

> … It's a bit like I think a bit of a perfect storm that you've got … Brexit, economic conditions aren't great, pandemic still sort of there in the background, it all creates uncertainty, it creates change, and that … sort of impacts on staff wellbeing. (Joseph, post-92)

For HoSs this also meant having to deal with some staff who were reluctant to change:

> … That also means challenging some long-term attitudes as well, particularly for those who've been around for 20 years and haven't progressed and just want to teach the same old same old … (Toby, post-92)

In terms of enablers, HoSs referred to their own role as being to provide clarity around roles and expectations, for example, through articulating them explicitly, conducting annual reviews, taking part in objective setting and providing a sense of direction. At the same time, they also emphasised the importance of fostering staff members' sense of autonomy.

> People who have high levels of wellbeing … in legal academia … are people who have a clear sense of … where they're going … they're supported in doing it … (John, post-92)

Several participants suggested that these enablers were facilitated through reward and recognition, knowing staff well and seeking to empower and work collaboratively with them:

> I think that managing lawyers and managing law teachers is famously herding cats, and if you don't have consent and if you don't have goodwill you can't really achieve anything. (Robert, post-92)

There was also an acknowledgement that flexibility was necessary to accommodate staff members' personal circumstances, for example, scheduling meetings around child-care responsibilities. One HoS noted:

> . . . increasingly I've come to understand what goes on inside someone else's life outside is contributing to either a positive sense of wellbeing or is going to adversely impact on them at work. (Joanna, post-92)

Several participants noted a sense of fulfilment (in varying terms) as relevant to well-being. One participant saw this as an indicator of positive wellbeing:

> I think an ability to find meaning in all parts of their role I think probably has a relationship with wellbeing, my anecdotal observation is that those colleagues who seem to enjoy their jobs and all parts of it seem to the ones who manage to stay more often . . . in a positive wellbeing sort of space. (Charles, Russell Group)

One HoS suggested staff could have unrealistic expectations in demanding interesting and enjoyable work, although another emphasised the importance of staff feeling happy in their work.

Barriers and enablers to wellbeing within the student experience

A key notion underpinning the discussion of the student experience by HoSs was that of transitions. A number characterised the law degree as a period of transition, including the transition into university and the law school, the transitions across years and the transition out into the workplace.

> . . . level four students are clearly anxious about coming into higher education, adjusting to higher education, level five students might be worried about the new level, the modules, the options, the exams, level six students are worried about employability, finding a job, finding a good contract, training culture in some cases. (Anika, post-92)

> I think the transition to law is you know, is famously and understandably difficult, we no longer care what you think . . . we're interested in what you know about what the judge . . . so that whole thing about thinking as a lawyer and getting a sense of what's required of you is difficult for law. (Robert, post-92)

The issues of specific student populations such as international students, care leavers and first-generation students were also referred to.

Specific barriers to student wellbeing identified by participants to some extent mirrored those relating to staff, particularly, workload and difficulties in juggling commitments for example, combining study with caring commitments and/or paid employment and/or commuting:

> . . . a lot of our students will have conflicting priorities in terms of their studies, which they're now paying a lot of money for, but at the same time they may have jobs and families and other commitments, caring commitments that conflict. (Robert, post-92)

This quotation also provides a sense of the financial pressure students may be experiencing, with one HoS noting "... wellbeing isn't just about your mental health, it's also about being able to afford to live ..." (Samantha, post-92). A sense of uncertainty and isolation post-pandemic were also referred to.

Career expectations were discussed by several participants, with a focus on the pressure and competition surrounding entry to the legal profession:

> ... law is a very aspirational subject so you may have students with quite high aspirations ... that can create stress. I think that jobs in law, certainly jobs that are well paid in law, are very, very competitive, and so that can create stress. (Robert, post-92)

More generally, a sense of high expectations placed upon law students, and uncertainty over how to meet these, were mentioned by several participants, for example, when tackling assessments.

As with staff, it was noted that some of this pressure came from the individual students themselves, whom one HoS referred to as all being "high-flying people". At the same time, one participant referred to "a lack of self-belief, lack of confidence" among some students (Joanne, post-92). Within the interviews, despite the implication of homogeneity above, there was a general acknowledgement of the diversity and complexity of the student population, with one participant reflecting:

> ... but the problems our students face are really significant, and ... they're long-term pre-existing, either formal mental health challenges or challenges to learning, so they have dyslexia, they have other unseen disabilities which act as hurdles, they have significant socioeconomic challenges many of them ... (Joanna, post-92)

Despite the aforementioned barriers, a range of enablers for positive student wellbeing were also identified. Several HoSs spoke in very positive terms about the opportunities provided to students through clinical legal education (or, in one case, placements). The potential for developing skills and competencies in a supportive environment, fostering emotional intelligence, encouraging the practical application of challenging theoretical concepts, promoting collaborative work between staff and students and modelling a different approach from the traditional law classroom were all mentioned:

> ... when we're in clinic that's where the really strong and positive reflective work goes on. (Natalie, post-92)

Other enablers referred to by participants included good teaching, applying constructivist learning techniques to encourage students to feel they are doing meaningful work and combat alienation, avoiding silos between topics and subjects, fostering development of people skills, facilitating teambuilding and communication, appropriate timetabling which is flexible enough to accommodate students' other commitments, using assessment as a celebration of learning, applying inclusive assessment techniques, providing formative assessments coupled with positive feedback at an early stage, embedding traditionally co-curricular activities into the curriculum and fostering a sense of autonomy. It is notable that most of these suggestions focused upon teaching and learning, with one participant observing:

> I think the curriculum is an important factor, delivery of teaching, assessments I've come to realise much more than I would have done a few years ago is, is an important part of wellbeing. (Charles, Russell Group)

Personal tutoring

Personal tutoring emerged as a substantial issue despite not being the subject of a specific question. The importance of the role of pastoral care for students was universally recognised in relation to supporting student wellbeing, although there were differing views over boundaries.

> . . . some of the wellbeing stuff is actually about academic literacy and helping students navigate the academic world, and that's what academic personal tutors can be really good at. (Eleanor, post-92)

Where HoSs had resources or autonomy to move departmental resources there were indications of innovation in approach:

> . . . we're expecting so much of personal tutors they couldn't really do it properly, students were falling between the cracks. So I created a new type of administrator . . . their job was to deal with student problems so they weren't, if you like, distracted by research or teaching. (Matthew, Russell Group)

However, the impacts of wider institutional changes and the workload implications for staff were raised as a concern. The negative impacts on staff of a lack of time and expertise were also emphasised. The issue of varying individual levels of commitment to and delivery of personal tutoring duties was highlighted, with the consequent sense of unfairness having an impact on departmental culture.

> . . . staff generally see it as an inconvenience and students see it as a point of call when something goes wrong . . . (Peter, plate glass/red brick)

Identifying and implementing possible solutions

Many of the enablers referred to in relation to both staff and students offer possible approaches to enhancing wellbeing within law schools. HoSs were also asked specifically about wellbeing initiatives being run within their law schools. Several emphasised that they viewed a range of initiatives, not expressly identified as focusing upon wellbeing, as in fact fostering positive wellbeing:

> . . . we try and make a life in the law school that the students are actively part of, and that means they have relationships, and that means that they can raise small concerns and issues with each other but also with teachers that they are familiar with . . . it's perhaps it's more prevention than cure, but I think it's very, very important. (Robert, post-92)

> So I tend to think I guess about wellbeing not as, not about wellbeing initiatives but actually just about the policies, processes, procedures that we have to navigate every day, and if we can streamline and make those as easy as possible that helps us feel better . . . (Eleanor, post-92)

This again reflects the range of enablers discussed above by focusing on tackling barriers to wellbeing found across the activities of law schools. This approach was also demonstrated in the wide range of initiatives referred to, from conversations with students and staff, to providing additional skills and employability support, to monitoring student attendance, to workshops around plagiarism, to mentoring. Some initiatives more explicitly focused upon wellbeing were also mentioned. A number of participants referred to creating (or being aware of) specific roles around wellbeing, welfare and/or personal tutoring either at the level of the law school or more widely in the Faculty. There were references to wellbeing walks, lunches, professional services

wellbeing help, additional training and resources for staff, encouraging students to build resilience, working with a Students Union and having wellbeing as a standing item on key committees.

Participants were asked specifically about evaluation of wellbeing initiatives. The majority appeared to have conducted either no evaluation, or only informal evaluations (although on occasion a HoS referred to wider university work on this, such as staff surveys). However, the types of broader initiatives referred to above had been more closely evaluated. Methods included feedback from students, external reviews (for example, meetings with external examiners), the National Student Survey and other student surveys, staff surveys, discussions with student representatives.

Discussion of themes

The initial theme in this study, on the impact of Covid-19, is important for several reasons. First, it demonstrates the extent to which individuals' wellbeing is affected by wider environmental, economic and social issues, as opposed to being simply a matter of personal characteristics or resilience.[36] This mirrors SDT's focus upon the impact of social contexts in relation to motivation and wellbeing.[37] Second, it demonstrates the long-standing impacts of this specific time period on both staff and students in law schools, with participants explicitly challenging the notion that post-Covid everything "just snaps back to normal". Third, it contextualises the remainder of the findings; in particular, it is arguable that the unique challenges experienced in the Covid-19 period raised awareness of wellbeing within legal education to a much greater extent than pre-Covid, leading to a detailed engagement with the topic from the HoSs interviewed. A significant level of engagement with the topic was evident in the definitions of wellbeing provided by HoSs. The emphasis on a holistic definition mirrors wider shifts in the higher education sector towards a "whole university" approach to wellbeing, recognising the myriad factors which are encapsulated within the term.[38] References by HoSs to notions such as "flourishing" also demonstrated a synergy with the positive psychology approach of SDT and BPNT.[39]

The theme of "variations in institutional resources" is also important in contextualising the subsequent themes, particularly those exploring barriers and enablers to staff and student wellbeing in detail. It is also closely interlinked with the theme of "leadership and strategic approaches to wellbeing". HoSs identified pressures within their wider institutions, and the higher education sector as a whole, which had a significant impact upon wellbeing within the law school. The forms of centralisation referred to by a number of HoSs reflects the wider currents of managerialism referred to within the Introduction to this paper.[40] Applying BPNT, while the importance of central support services was fully acknowledged, there was also a sense of this centralisation affecting HoSs' autonomy and competence, impeding their control over provision and their ability to deal with localised issues effectively. This was also closely linked to

[36]Graham Ferris, "Law-Students Wellbeing and Vulnerability" (2022) 56 The Law Teacher 5; Richard Collier, "Wellbeing in the Legal Profession: Reflections on Recent Developments (or, What Do We Talk about, When We Talk about Wellbeing?)" (2016) 23 International Journal of the Legal Profession 41.
[37]Ryan and Deci, "The 'What' and 'Why' of Goal Pursuits" (n 22) 238.
[38]Hughes and Spanner (n 2).
[39]ibid n 23; Martin Seligman, *Flourish: A New Understanding of Happiness and Wellbeing* (Nicholas Brealey Publishing 2011).
[40]Winter and O'Donohue (n 10); Ross, Scanes and Locke (n 10).

a diminishing of relatedness – individuals in support roles who were once easily accessible and highly visible within the law school were now part of impersonal "hubs" physically located elsewhere in the institution.

There were indications of HoSs working to redress this balance, through implementing complementary discipline-specific provisions around wellbeing. This reflects the types of resistance found in earlier work on the neoliberal academy.[41] However, the extent to which this provision could be implemented was dependent upon the resources available to the HoSs, which varied significantly. Some HoSs had access to their own devolved budgets and were free to implement their strategy to address student and staff wellbeing. Those HoSs who were creating new support posts or investing in senior academic roles were able to increase levels of expertise in wellbeing. This not only addressed workload issues but also had the potential impact of improving a sense of competence across the law school. However, in other law schools, institutional centralisation strategies and a lack of resources resulted in a growing sense of loss of control and lack of autonomy in HoSs, potentially compounded by an inability to implement personal values within their role.

This interaction with the wider HEI was also demonstrated in the HoSs references to mediating and translating messages from senior management to protect staff from negative impacts which may arise. This reflects the "umbrella-carrying" role of middle managers discussed by Gjerde and Alvesson.[42] The overall importance of communication within the HoS role is also emphasised by the theme of "the importance of relationships and relationality". HoSs were keenly aware of the need to foster a sense of relatedness in students and staff especially at a time when the effects of Covid-19 were still being felt across higher education. This encompassed all relationships within law school: student to staff, staff to staff and staff to HoS. Given this role, it is perhaps unsurprising that there were indicators of the HoS role having a negative impact upon wellbeing of some interviewees. HoSs critiqued the context within which they worked as middle managers with pressures coming from both sides and without experiencing autonomy support. There was also a perception of having to deal with staff and student mental health crises on a regular basis without sufficient support, indicating a sense of insufficient competence. Although not explicitly mentioned, HoSs' emphasis on managing and maintaining relationships within the law school also suggests a high level of emotional labour present in the role.[43]

In terms of staff relationships, staff conflict and difficult relationships were identified as an obstructer to relatedness to others, and something that HoSs were responsible for managing. HoSs were clear that a significant part of their role was to develop a strong trusting relationship with their staff. Communication and an open-door policy were highlighted as important so that staff considered the HoS to be approachable. With regard to staff–student relationships, HoSs understood these to be bi-directional, with staff affected by student complaints and expectations, and students affected by changes in levels of staffing resources. Many activities were initiated to promote staff–student relationships with personal tutoring being considered particularly

[41]Fiona Cownie and Anthony Bradney, "Gothic Horror? A Response to Margaret Thornton" (2005) 14 Social & Legal Studies 277.
[42]Gjerde and Alvesson (n 19).
[43]Crawford (n 21) 1171.

important. However, HoSs also considered that boundaries were needed to prevent staff overload and to manage student expectations.

Overall, the HoSs had clear views about enablers and obstructers of both staff and student wellbeing. The theme of' "barriers and enablers to wellbeing within staff roles" suggested that HoSs were acting in ways which supported staff autonomy. There is evidence of this form of autonomy support having a substantial positive impact upon wellbeing in the work context.[44] This involves the manager providing a work context with the following features: use of non-controlling language; acknowledging the employee's perspective; giving rationale when choice is not possible; and having a discussion of meaning/values.[45] The data on staff enablers indicates that HoSs understood the need to provide choice and autonomy to their staff so that staff could work towards goals that mattered to them. There was a view that staff should feel valued, respected, supported, of equal value and importance, and experience a sense of collegiality. There was also explicit recognition that the role of the HoS was to seek to provide these experiences by providing clarity around roles and expectations through articulating them explicitly, conducting annual reviews, taking part in objective setting, and offering an "intellectual sense of direction" within the law school. This approach fits with the approaches identified by Bryman as being effective in HEI leadership.[46]

Deci and Ryan have identified factors which can undermine autonomy, including tangible rewards, threats, deadlines, demands, directives and competitive pressure.[47] HoSs were aware of the demands of their HEI and sector, the needs and expectations of students and (one participant suggested) individual staff members' own sense of "desire and drive" having potentially negative impacts upon wellbeing, reducing collegiality and the intrinsic motivation of individuals.[48] These factors may also have a negative impact on staff members' sense of competence if they feel unable to spend the time needed to teach or research to their potential.[49]

In relation to "barriers and enablers to wellbeing within the student experience" there were similarities in some of the pressures experienced by staff, relating to workload, difficulties in juggling commitments and high levels of expectations (from themselves or others). Financial and career pressures were also highlighted. The enablers identified all pointed to the importance of teaching and learning strategy. In other words, HoSs were recognising that more needed to be done to promote wellbeing through the curriculum and its delivery. This mirrors SDT-related work done on incorporating autonomy support into teaching strategies and ensuring that basic psychological needs are met within the curricula.[50]

[44]Patricia L Hardré and John Marshall Reeve, "Training Corporate Managers to Adopt a More Autonomy-Supportive Motivating Style toward Employees: An Intervention Study" (2009) 13 International Journal of Training and Development 165, 167.
[45]ibid 169.
[46]Alan Bryman, "Effective Leadership in Higher Education: A Literature Review" (2007) 32 Studies in Higher Education 693.
[47]Deci and Ryan, "The 'What' and 'Why' of Goal Pursuits" (n 22) 233.
[48]Deci and Ryan, "Conceptualizations of Intrinsic Motivation and Self-Determination" (n 32).
[49]Robin Margaret Averill and Jae Major, "What Motivates Higher Education Educators to Innovate? Exploring Competence, Autonomy, and Relatedness – and Connections with Wellbeing" (2020) 62 Educational Research 146.
[50]Johnmarshall Reeve and Sung Hyeon Cheon, "Autonomy-Supportive Teaching: Its Malleability, Benefits, and Potential to Improve Educational Practice" (2021) 56 Educational Psychologist 54; Adam Neufeld, Annik Mossière and Greg Malin, "Basic Psychological Needs, More than Mindfulness and Resilience, Relate to Medical Student Stress: A Case for Shifting the Focus of Wellness Curricula" (2020) 42 Medical Teacher 1401.

The theme of "personal tutoring" appeared to encapsulate the tensions which arose in discussions of both staff and student barriers and enablers to wellbeing. HoSs had to navigate between supporting students by the provision of access to academic and pastoral guidance, and the difficulties of allocating resources to provide that support. The HoSs' perceptions were that academic staff preferred not to undertake the role due to the impact upon their own workloads and/or wellbeing. What was not explicit in the interviews is the impact on staff–student relationships and student success created by these tensions where no clear resolution is present.[51]

Nevertheless, despite a range of barriers and constraints placed upon HoSs and law schools, the final theme ("identifying and implementing possible solutions") identified a range of initiatives in place which, while not all specifically focused upon wellbeing, had the potential to enhance wellbeing by promoting aspects of autonomy, competence and relatedness among staff and students. The fact that HoSs conducted little, if any, evaluation specifically focused upon wellbeing suggests that these initiatives may not be being leveraged for maximum positive impact.[52]

Conclusion and recommendations

This research study reinforces key messages within existing literature on middle managers within higher education, particularly the importance of the role of "umbrella carriers".[53] However, it also provides a novel contribution by examining the specific law school context, and by focusing specifically upon perceptions of wellbeing. Applying SDT and BPNT to the empirical findings provides a valuable theoretical lens which contextualises the findings and suggests that HoSs need to focus upon maximising autonomy, competence and relatedness for themselves, their staff and their students.

In terms of autonomy, there were clear attempts by HoSs to provide an autonomy supportive environment for staff. However, the levels of autonomy HoSs themselves experienced varied significantly between settings, heavily influenced by the level of resources available. In terms of competence, it is likely that the barriers to wellbeing identified by HoSs, particularly the increase in academic workload, will diminish staff members' sense of competence. Similar pressures are also likely to impede student competence. In terms of relatedness, for most HoSs it was relationships which were key to the success of the law school – both their own and those of others within their setting. This was most clearly encapsulated in discussion of personal tutoring, which exemplified the value of such relationships (in this case, between students and staff) but also the ways in which institutional and sector-wide demands and pressures can thwart their formation and progression.

Several specific recommendations for promoting wellbeing within law schools emerge from this study, First, the need to increasingly integrate wellbeing into teaching and learning strategies and curriculum. Second, the need for greater evaluation of measures taken to address staff and student wellbeing. A well-formulated and longitudinal cross-institution project would be one way in which

[51]For an overview of the opportunities and challenges of personal tutoring, see David Grey and Corrina Osborne, "Perceptions and Principles of Personal Tutoring" (2020) 44 Journal of Further and Higher Education 285.
[52]For an example of detailed evaluation of psychological evaluations, see Emma M Seppälä and others, "Promoting Mental Health and Psychological Thriving in University Students: A Randomized Controlled Trial of Three Well-Being Interventions" (2020) 11 Frontiers in Psychiatry, Article 534776.
[53]ibid n 19.

to address this and provide insight to target resources. More broadly, the findings demonstrate that there is a need to promote autonomy, competence and relatedness not just at law school level, but also through senior leadership of HEIs, to ensure HoSs are appropriately equipped to carry out their roles. The HoS has a vital position in navigating the tensions, challenges and opportunities facing higher education. As such, they can also be pivotal in enhancing well-being among staff and students. However, they can only do this if they are given the training, resources and support to do so.

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Appendix. Semi- structured interview questionnaire

(1) Please can you tell us a little about yourself and how you came to be in your current position?
(2) Can you tell us more about your institutional setting?
(3) This study focuses on the wellbeing of students and staff. How would you interpret the term "wellbeing"?
(4) What do you think are the key factors which influence the wellbeing of your students?
(5) What do you think are the key factors which influence the wellbeing of your staff?
(6) Within your institution, who is responsible for promoting staff and student wellbeing?
(7) Do you view promoting staff and student wellbeing as a part of your role?
(8) If so, in what ways do you/your law school promote staff and student wellbeing?
(9) Are you aware of any evaluations of wellbeing measures that have been undertaken within the law school?
(10) Do you have any thoughts about how the work of professional support or admin staff help or hinder academic staff and student wellbeing.
(11) Is there anything else you would like to add?