Legal CORE | Think Tank

We held our first Think Tank earlier this year. Organised by members of our <u>Legal CORE (Collaboration on Race and Ethnicity)</u> steering group, this took the form of a half-day 'hackathon'-style event that brought together individuals from across a number of firms in the legal sector to answer the challenge question: "How can law firms improve the retention of ethnic minorities within their respective firms and across the legal sector?".

The aim was to identify factors that cause racial and ethnic minorities to leave law firms, and for participants to provide initial thoughts on actions and programmes we could develop and ultimately implement in our firms. We also hoped to create a forum for sharing experiences and exchanging ideas amongst those who work within the sector.

By sharing the outcomes of the Think Tank, we can reflect on the current culture of our firms and the experiences of those from racial and ethnic minorities. In addition, it enables us – and hopefully others – to review current programmes, practices and processes, and identify where we can do better.

We recognise the challenges in creating a culture that is truly inclusive for underrepresented individuals, and the need for change. We hope this is the first in a series of Think Tanks encouraging open conversations – and to ultimately translate dialogue into actionable suggestions that drive progress.

The Event

Creating a safe space for participants to voice experiences, concerns, and ideas was important. The event was held virtually using three different technology platforms. Participants were from 25 different law firms and varied in roles and level of seniority in their organisation to ensure different experiences and perspectives were heard.

▶ **Zoom** – to enable discussions collectively and in smaller breakout groups.

▶ **Sli.do** – to conduct live surveys for participants to instantly share their thoughts and provide feedback.

▶ **MURAL** – a digital whiteboard that allowed participants to collaborate in real-time by using post-it notes.

67	3	14	25	1125
Participants	Platforms	Facilitators	Firms	Post-it notes[1]

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Challenge question: "How can law firms improve the retention of ethnic minorities within their respective firms and across the legal sector?"

We appreciated the challenge question was broad. As such, our participants were initially tasked with providing their thoughts and discussing the three sub-questions below that were more specific in scope before suggesting solutions to the challenge question.

(1) What factors impact whether you stay at a firm? What matters to you?

(2) Who has an impact on whether you stay at a firm?

(3) Your initial thoughts – why do we think ethnic minority professionals in particular leave law firms?

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(1) What factors impact whether you stay at a firm?

Overall there were 124 responses from participants. A variety of factors were highlighted, many of which were also raised in relation to question three above. The most frequently highlighted responses were belonging and culture, opportunities and progression, and the impact of management. Other factors included diverse representation across the firm, job satisfaction, salary and reward, and work-life balance.

(2) Who has an impact on whether you stay at a firm?

Overall there were 89 responses from participants. After reviewing the data, we identified nine themes.[2] The top three groups of people that were highlighted as having the most impact were, perhaps unsurprisingly, your line manager, senior leaders/partners, and your team. Others also mentioned the impact of clients, networks, and family and friends.

89

Post-it notes

9

Themes

People that impact an individuals decision to stay or leave a law firm

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(3) Why do we think ethnic minority professionals in particular leave law firms?

Overall there were 134 responses from participants.

Perceived v experienced

Upon answering this question, participants marked their answers with a '(P)' for factors they perceive exist for ethnic and racial minorities. In other words, factors they have not personally experienced. Answers that did not have a '(P)' denotes factors participants have personally experienced. These will be labelled as 'experienced factors'.

After analysing the data, we found the top three themes were consistent across both categories, however were slightly different in the number of times mentioned by participants. See the frequency order below.

Perceived factors	Experienced factors
1 Belonging & Culture	**1** Belonging & Culture
2 Opportunities & Progression	**2** Representation & Senior Role Models
3 Representation & Senior Role Models	**3** Opportunities & Progression

Participants were then asked to identify four to five themes (or 'clusters') the factors they had identified could be more broadly grouped under. From their clusters, similarly to the above, the **top theme was: an organisations' culture.**

Multiple other themes arose, which we will explore further in the next section, but these included lack of sponsorship, the impact of leadership, and not feeling like you belong. They also highlighted the importance of wellbeing and support, the impact of a lack of career progression, and senior diverse role models. It should also be noted racism, micro-aggressions, and the impact of unconscious bias were also all highlighted specifically.

// The opportunity to have the discussion, share experiences and provide solutions to real issues affecting so many of us.

– feedback from one participant

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Challenge question: "How can law firms improve the retention of ethnic minorities within their respective firms and across the legal sector?"

Having provided their answers to the three sub-questions and reflected on what factors impact retention, we then circled back to the broader challenge question. Participants were tasked with suggesting up to five actions law firms could take in relation to this question. To guide participants, actions had to be suggested under the themes identified in the previous clustering task.

In our analysis 33 themes for suggested actions emerged.[3] The most popular themes are listed below. Additional themes were belonging, progression, career development, and wellbeing, among others.

33
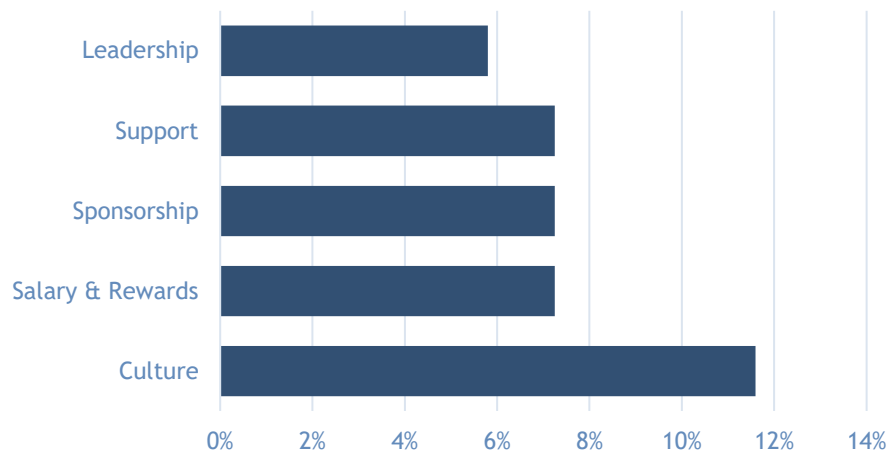
Themes

What do law firms need to address to improve the retention of ethnic minority talent?

On the following pages, we have provided the suggestions made under the themes identified.

The themes in blue-headed boxes were created by participants. During our analysis we identified consistent themes that cut across participants' responses. We have grouped these in green-headed boxes.

// Perfect level of interactivity / participation, thank you. Never felt put on the spot, but empowered to take part and be heard.

– feedback from one participant

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💡 Suggestions from participants

Culture

- Utilise feedback, surveys and exit interviews.
- Empower teams to take action.
- Ensure that colleagues 'walk the walk, not just talk the talk'.
- Create feedback loops to senior management on team culture/dynamics and act on feedback.
- Offer training – for new graduates and mandatory training for employees.
- Suggestion for a cross-firm collaboration – eg a multi-firm network for people from minority background.

Salary & Reward

- Greater transparency around salary and internal grading bands.
- Offer competitive salaries and compensate employees appropriately.
- Implement a reward structure that takes into consideration non-billable hour firm contributions.
- Make ethnicity pay gap reporting mandatory.

Sponsorship

- Establish formal schemes to provide sponsorship.
- Provide training for allies/sponsors (rather than mentors).
- Facilitate informal opportunities for senior and junior colleagues to interact.

Safe Space/Speaking Up

- Encourage speaking up, create safe discussion forums, and encourage open/frank conversations.
- Create a forum that encourages speaking up – sharing both good and bad lived experiences.
- Encourage formal and informal discussions.

Recognition for D&I Work

- Senior leadership should regularly communicate the importance of D&I, provide updates, and recognise D&I work.
- Embed D&I contributions into performance reviews.
- Make D&I hours as valuable as billable hours.
- Ensure resources are aligned to D&I to make change.

Cultural/Religious Awareness

- Greater awareness and appreciation of key cultural and religious holidays and observances.
- Implement policies that allow for more holiday flexibility.
- Increase conversations around different cultures and religions.
- Consideration for diverse social events.

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💡 Suggestions from participants

Support

- Offer training on 'the basics of D&I' for all.
- A buddy system for new joiners or re-locating employees.
- Offer employee networks and allow time to engage with existing networks.
- Promote feedback to address issues.
- Including a section in your appraisals to discuss how you feel at work.

Leadership

- Need accountability among senior leaders.
- Provide meaningful management and leadership training – on cultural awareness, and how to have open and honest conversations etc.
- Regular and consistent messaging from leaders.
- Direct accountability among leaders for the retention of minority talent.
- Coffee sessions with senior leaders – informal ways to connect and break down the hierarchy.

Communication

- Needs to be regular and transparent communication.
- Communicate on external affairs that might affect colleagues.
- Make communication a team level responsibility not just a senior management responsibility.
- Identify different communication channels you can utilise.

Work Allocation

- Consistent and transparent work allocation practices across all practice areas.
- Open opportunities to everyone.
- Create a resourcing function to manage work allocation impartially.
- Make BD opportunities relevant to all.
- Use technology/work allocation tools.

Training

- Mandatory diversity training for supervisors.
- Guidance on how to have career conversations.
- Offer training – on barriers ethnic minorities face and the impact of language.
- More frequent training provided.

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💡 Suggestions from participants

Career Development/Promotion

- Clear criteria and guidance on promotion/path to promotion for lawyers and business services colleagues.
- Transparency in promotions.
- Provide upskilling and training programmes.
- Share partner experiences on the path to partnership.
- Review your talent pipeline for representation.
- Open dialogue around development and progress.

Data/Targets

- Monitor diversity data and trends over time.
- Publish targets to promote accountability.
- Transparency around data and progress.
- Review promotion data.

Reverse and Traditional Mentoring

- Offer a formal reverse mentoring programme.
- Offer formal mentoring schemes and mentoring with external organisations.
- Provide support with finding mentors and sponsors.
- Provide mentors for trainees who stay with them for the long-term.
- Potential for cross-firm mentoring.

Wellbeing/Work-Life

- Offer entitlement for 'wellbeing days'.
- Create a culture that respects work-life balance.
- Encourage down time (e.g. no emails after 6pm, 9 day fortnight, team away/spa day).

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We have reviewed the outputs of the Think Tank with the Legal CORE Steering Committee in a live workshop and have identified a number of next steps as outlined below.

Next Steps

- Discuss key themes with the Legal CORE member firms in June 2022 Best Practice Forum.

- Discuss key themes with the Legal CORE leadership committee. The findings will also be used to inform the Leadership Programme content.

- Encourage law firms that participated to review results and discuss how they can use these in their firms.

- Decide on the topic for the next Think Tank in the series to progress some of the ideas proposed.

A number of potential areas that we could explore in the next Think Tank that arose from the first event:

- Focus on the role of manager – what support do managers need when managing diverse teams? What does good look like and how can we share best practices?

- How do we create a sense of belonging?

- What has been the impact of hybrid working? How do we provide support and ensure equal access to opportunities?

- What are the skills or awareness gaps we could address through training?

//

"Structure clearly thought through - good mix of broader discussion then, into the break out rooms which were engaging and well-facilitated, and use of the tech in a way that enhanced and was not gimmicky"

– feedback from one participant

Footnotes

[1] *Mural* was the primary platform used to record participants' responses to the various questions through the use of post-it notes.

[2] The number of themes identified is after processing the participants' post-it notes. The process included (1) separating out the post-it notes into multiple post-it notes if various themes were included; and (2) grouping the post-it notes by theme.

[3] Participants were asked to group the post-it notes into themes by using 'bubbles'/'clusters'. Where participants included multiple themes in the bubble/clusters, we conducted the same process as in footnote[2].

About Legal CORE

Launched in 2021, Legal CORE is a collective of firms across the legal industry in the UK to collaboratively address and tackle the lack of representation of ethnic minority talent, and make a change in the industry. To increase substantively the representation of ethnic minority individuals in private practice, working collectively to drive action and facilitate a fundamental shift across the legal sector. By taking a sector wide approach we believe that we can have a more substantial and sustainable impact than by acting as individual firms.

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