



The Law
Society



MALE CHAMPIONS FOR CHANGE: TOOLKIT

www.lawsociety.org.uk

The time is now!



Christina Blacklaws, President of the Law Society of England and Wales

So many lawyers – both men and women – have said this to me in relation to my ‘Women in leadership in Law’ presidential theme and it’s certainly not just an issue for 50% of us but for 100%.

We have all suffered from unhelpful and limited pigeonholing that has been dominant in our profession for so many years and, in some real senses, progress to overcome this has been glacial.

Indeed, gender balance has become more of a generational issue as younger men cry out to be able to spend more time with their children without that being a career limiting move and young women are fed up with unhelpful assumptions and bias. The challenge of intersectionality in the workplace also adds to the barriers faced by BAME, LGBT+ and disabled individuals.

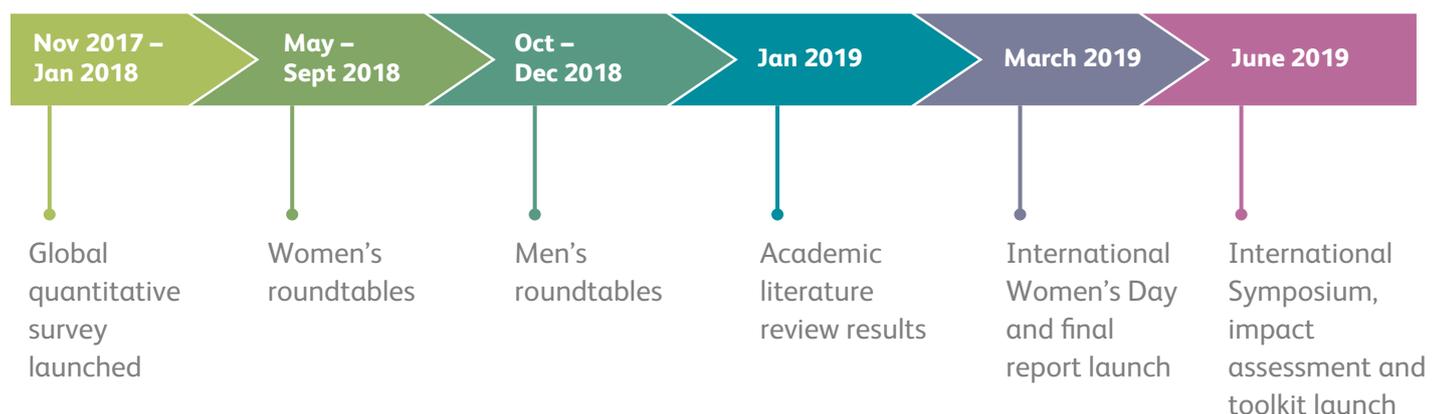
We want to bring about true equality for all within our profession, to understand the barriers and create real opportunities to address them in an action-orientated and collaborative way. This will take involvement and commitment from all of us.

We believe that there is a compelling moral case and a business imperative for gender balance. In particular, business leaders are critical to achieving lasting performance improvement; as with any priority, leadership is required to deliver lasting and meaningful change.

The Women in leadership in Law project will collate current quantitative and qualitative data on women in the legal profession and the judiciary. Our data is sourced from:

- Almost 8,000 responses to our international survey
- Over 150 women’s roundtables – both domestic and international
- Male champions for change roundtables

A final report will provide information on the identified barriers to women’s success in business leadership, and best practice solutions to address these issues. The report will be launched at our International Symposium in June 2019.



Role of male champions for change



The Law Society has a key role to play to boost the pace of change in this journey towards achieving full gender equality. I admire the positive impact this work is already having in focusing our minds and in encouraging an inclusive conversation on the role both men and women must play. I feel very strongly about ensuring this piece of work maintains momentum even after the end of Christina's presidency, as I prepare to succeed her in July 2019.

Simon Davis, Vice President of the Law Society of England and Wales

Engagement and support from men is critical to achieving true diversity and inclusion in the profession.

Proactive participation, promotion of gender balance and efforts to understand how gender inequality limits the ability of individuals and businesses to reach their full potential is key. As champions of change, men can work towards the positive transformation of social norms and can take action to hold other men accountable and encourage them to join in.

The obstacles and barriers faced by women are not always known, consequently gender diversity measures can be seen as unfair. Men who build awareness of these issues can, for example, ensure that women can be more systematically and actively included in succession plans.

The advocacy of men in gender-diversity can help to build conviction that what is good for women will be equally beneficial to men as it will result in more inclusive, healthy and supportive workplaces. This will ultimately result in the evolution of businesses, corporate cultures and performance models which are more efficient, sustainable and in line with the expectations of today's society (and clients).

Recognising that the majority of leaders in the legal profession currently are, and have historically been, men, we also believe that male business leaders have a significant role to play in achieving gender balance.

We hope that this toolkit will offer insight and guidance on what individuals can do to accelerate the rate of progress.

Gender balance as a lever for business performance

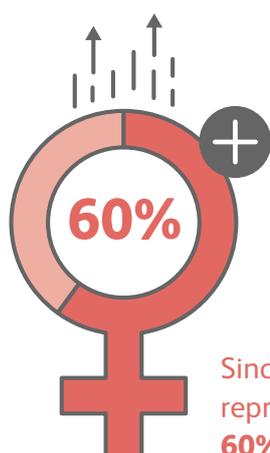
In 2019 we will celebrate the centenary of the Sex Disqualification (Removal) Act – the historic legislation which recognised women in the UK as ‘persons’ and first enabled women to practise law. Although the legal profession has largely been transformed in this time, it is clear that there is still much to be done.

Global stats

- At the current rate of progress, it will take until 2043 to achieve gender balance in business leadership¹
- Female progression in FTSE companies is not increasing quickly enough to meet the immediate goal of 33% of women in executive roles by 2020²
- In the FTSE 350, there are now 24.5% of women on boards³
- 58% of women say employers need to provide greater transparency to improve career opportunities⁴
- The number of women in senior management rose only one percent in 2017 to 25% and the number of organisations with female participation at senior level decreased in the same year⁵

Legal profession

The statistics for women in England and Wales are clear; women have entered the profession at a higher rate than men for over 25 years, women make up over half of practising solicitors, and yet women are woefully underrepresented in leadership positions.



Since 1990, women have represented more than **60% of new entrants into the legal profession**



As of 2017, the majority of practising solicitors are women **50.1%**



Women only comprise **28% of partners in private practice**

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/658126/Hampton_Alexander_Review_report_FINAL_8.11.17.pdf

² https://www.womensbusinesscouncil.co.uk/wp-content/uploads/2018/09/MACA_Achieving_gender_balance_in_business_leadership_and_closing_the_gender_pay_gap_Sept_2018.pdf

³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/658126/Hampton_Alexander_Review_report_FINAL_8.11.17.pdf

⁴ <https://www.pwc.com/gx/en/about/diversity/internationalwomensday/time-to-talk-what-has-to-change-for-women-at-work.html>

⁵ <http://www.granthornton.ae/globalassets/uae/may-2017-onwards/ibr-nov2017.pdf>

Emerging themes from women's roundtables

Ambition – despite their drive and ambition, many women reported that presumptions made about them on account of being women have damaged their careers – this was particularly perceived by women with disabilities.

Attributes – what is considered acceptable behaviour can vary depending on whether it is demonstrated by a man or woman, comments such as 'aggressive' or 'pushy' can be gender specific and have negative effects.

Balancing act – juggling work and caring responsibilities for young and elderly relations falls predominantly, and often entirely, to women whilst they juggle demanding careers. They are required to do 'two jobs' without recognition and without overlap.

Credit – when taking on heavy lifting or work that is seen as undesirable, appreciation or acknowledgement can be overlooked.

Ethnicity – examples of the worst barriers and obstacles faced were received from members of the BAME community who face multiple challenges related to intersectionality.

Flexibility – everyone has personal matters to attend to, and these should not be overlooked, or individuals made to feel awkward for not being in the office; greater flexibility and understanding from business leaders can prevent presenteeism, engender loyalty and contribute to wellbeing.

'Masculine' leadership – senior women reported that they felt required to adopt typically male characteristics to progress their careers, but this is alienating to women who aspire to leadership without having to compromise their identity.

Networking – gender neutral and inclusive activities for networking are preferred and particular activities such as rugby, football and golf, were perceived as alienating.

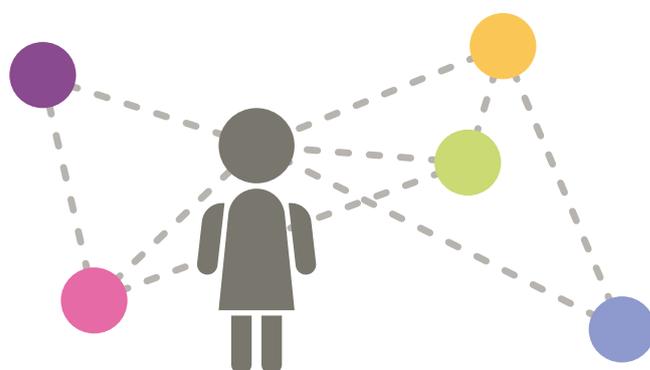
Presumption – perceptions that individuals have less motivation for adopting flexible/agile working, returning from parental leave etc. This can be devastating to careers and especially career progression.

Proof – individuals with protected characteristics such as race, ethnicity, religion, disability, sexuality or age face a double burden to prove themselves compared to their peers because of the stereotypes which they face.

Role models – there is a strong desire to see women in senior leadership 'like me', women who can be related to and who are transparent about whether it is possible to reach senior leadership roles and have fulfilling personal lives.

Solitude – women who have made it to the top reference their sole voice as women in the top echelons of senior leadership, and the consequent struggle to be heard or understood because of it.

Support – commitment from senior leadership is required to ensure that diversity and inclusion is a business priority.



Statistics

A huge body of research evidences that gender balance is good for business and tackling these issues will positively affect businesses and wider society.

The proven benefits of diversity, inclusion and gender balance include:

1. Intellectual capital advantage and a stronger market presence, and continued company growth⁶
2. 16% higher return on sales and 10% higher return on equity is delivered with three or more women in top positions⁷
3. Bridging the gender gap in Europe could add USD 2 trillion to the GDP by 2025⁸
4. Greater gender equality in leadership positions is predicted to add £150 billion to the UK economy⁹
5. More women at the top of organisations is important for individual women, for society at large and for the UK's global competitiveness¹⁰
6. Diverse executive teams have above average profitability of up to 21%¹¹
7. Increased understanding of employees, customer and stakeholder base¹²
8. Women influence 60% of buying decisions and by 2025 are expected to own 60% of all personal wealth¹³
9. Corporate culture is the most important driver for women's confidence in success and twice as much as individual factors¹⁴
10. Everyone benefits – from economic participation to gender-balanced organisations, we will all be wealthier, healthier and happier when there is true equality¹⁵

Increasing the numbers of women at the top of organisations is important for individuals, women, for society at large and for the UK's global competitiveness."

Rt Hon Penny Mordaunt, Minister for Women and Equalities

6 <http://thecommonwealth.org/sites/default/files/news-items/documents/Women%20in%20Leadership%20Discussion%20Paper.pdf>

7 <https://www.mckinsey.com/~media/mckinsey/featured%20insights/women%20matter/reinventing%20the%20workplace%20for%20greater%20gender%20diversity/women-matter-2016-reinventing-the-workplace-to-unlock-the-potential-of-gender-diversity.ashx>

8 Ibid

9 Ibid

10 https://www.womensbusinesscouncil.co.uk/wp-content/uploads/2018/09/MACA_Achieving_gender_balance_in_business_leadership_and_closing_the_gender_pay_gap_Sept_2018.pdf

11 https://www.mckinsey.com/~media/mckinsey/business%20functions/organization/our%20insights/delivering%20through%20diversity/delivering-through-diversity_full-report.ashx

12 [https://www.mckinsey.com/~media/McKinsey/Featured%20Insights/Women%20matter/Addressing%20unconscious%20bias/WomenMatter%202013%20Report%20\(8\).ashx](https://www.mckinsey.com/~media/McKinsey/Featured%20Insights/Women%20matter/Addressing%20unconscious%20bias/WomenMatter%202013%20Report%20(8).ashx)

13 Ibid

14 Ibid

15 https://www.heforshe.org/sites/default/files/2018-09/HeForShe_Workplace_5JunMay17.pdf



The Law Society

Women in the Law 2018

The largest international survey conducted on the topic of women in the law

As part of our continued work to **improve gender equality in the legal profession**, the Law Society conducted a survey between November 2017 and January 2018 to better understand key issues that affect women working in law. This follows our 2012 survey from which we draw comparisons, improvements and areas of concern.



7,781

responses were collected

(5,758 women, 554 men, 20 other, and 1,449 unknown).

Almost 5% of the respondents identified as LGBT+, 13% identified as BAME and 4% identified as disabled.

We've made some progress over the last five years, but **perception is skewed**

Half of respondents said they thought there had been progress on gender equality over the last five years but there was a **large difference in perception by gender** with 74% of men reporting progress in gender equality compared to 48% of women.



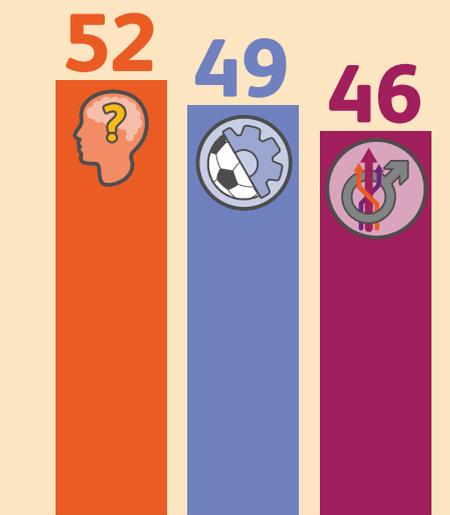
Unconscious bias was perceived to be the main barrier to career progression in 2018

Respondents have become more aware of the role unconscious bias plays in **preventing many women from reaching senior positions within the legal profession.**

(Up from third reason cited in 2012)

This is also reflected in the scoring of the **least consistently enforced policies in the workplace:**

Top reasons reported



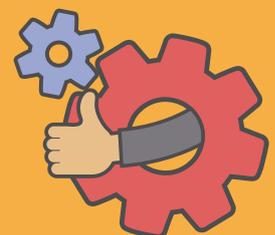
- Unconscious bias (52%)
- Unacceptable work/life balance demanded to reach senior levels (49%)
- Traditional networks/routes to promotion are male orientated (46%)

Only 11% reported **unconscious bias training** being consistently carried out in their organisation

11%

On a more positive note

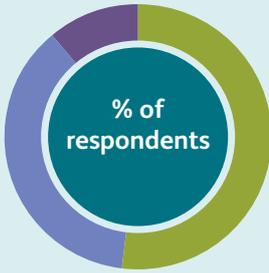
41% felt that they **benefit from regular performance and development reviews**; and **43%** reported having **diversity and inclusion training consistently enforced**



More people than ever think **flexible working really works for everyone**

91%

of respondents felt that a **flexible working culture is critical to improving diversity** in the legal profession (86% in 2012)



- 52%** of respondents work in organisations where a **flexible working policy is consistently enforced**
- 37%** work in organisations where there's **provision**, but not consistently enforced
- 11%** work in organisations with **no provision** for flexible working

Both men and women share this opinion (88% and 93% in favour respectively)



Given the introduction of the new **Gender Pay Gap** reporting requirements, the 2017/18 survey also contained specific questions on this topic:



60%

of the 6,533 individuals responding to this section of the survey reported they were **aware of a gender pay gap within their organisation**

Worryingly, of these **only 16%** reported **visible steps being taken** to address the gender pay gap within their organisation.



What works: best practice highlighted by the survey

Some of the initiatives respondents said have worked in supporting women in the legal profession



Access to and mainstreaming of flexible working, for women and men and at all grades



Networking opportunities at a local, city or regional level or through national networks

Mentoring and sponsorship including from senior staff, peers and reverse mentoring

Engaging men in the equality debate, to raise awareness of the issues, and to encourage shared parental leave and flexible working to enable men to participate more in family life



Promotion and celebration / increased visibility of leading women in law: in the judiciary, in executive office, in firms and organisations



Role modelling family friendly working practices, including through speaking at informal and formal events

Research questions for discussion

Have you faced challenges in any of the following areas, if so what solutions have you identified or used to address them?:

1 Unconscious bias

The Law Society's survey identified unconscious bias as the main barrier hindering the progression of women in the legal profession. Worryingly, only 11% reported any visible steps being taken to address these areas.

**Has your organisation implemented any specific action to tackle bias?
Are you seeing any visible result?**



2 Gender pay gap

The new government reporting revealed a significant gender pay gap in the legal profession. Worryingly, only 16% of those perceiving a pay gap reported any visible steps being taken to address these areas.

Has your organisation identified any tangible solutions?



3 Flexible working

A substantial majority (91%) of survey respondents agreed that a flexible working culture is critical to improving diversity in the legal profession.

**Do you agree?
Has your organisation implemented flexible working?
If so, are you facing any challenges?**



4 Best practice

Finally, some of the best practice examples that emerged from the survey were mentoring (including reverse mentoring), sponsorship, role modelling and involving more men in the equality debate.

**Does this resonate with you?
Are any best practices being implemented in your organisation?**



How have you measured success in each area?

Men's roundtable agenda

Purpose:

- Discuss the factors identified as barriers to gender balance in leadership
- Explore the findings from the Law Society's research and how the issues can be addressed
- Identify key actions for implementation to accelerate gender balance

Expectation:

- Honest dialogue
- Adopting a practical approach to problem analysis

Welcome and introduction – 10 minutes

Facilitator introduction

- Role of facilitator and notetaker
- Background of the project and purpose of the roundtables
- Ground rules and expectations of the meeting and attendees



Participants introductions – 5 minutes

Each person state name and role



Group discussion on the research questions – 30 minutes

Have you faced challenges and identified solutions in the following areas:

- Unconscious bias
- Gender pay gap
- Flexible working
- Best practice



How have you measured success in each area?

Group discussion on the business case for gender balance – 30 minutes

Why is there gender imbalance?

Who is accountable for setting balance?

How can change be accelerated?



Calls to action: action plan for law firm leadership – 45 minutes

Unconscious bias

Gender pay gap

Flexible working

Best practice



Basic ground rules

We recommend discussing these ground rules at the beginning of the session:

- No mobile phones
- Open, frank and fruitful discussions in a polite manner
- Listen to others, no interruption of speeches
- No one-to-one conversations: it is a group discussion
- Respect the agreed time schedule and allow time for others to speak
- Consensus oriented meeting (no domination)
- Active participation of everyone
- Differences in opinions will not be taken personally
- Voluntary participation

Unconscious bias

1. Commit to ask your leadership team what steps can be taken to introduce unconscious bias prevention actions in your organisation. For example:

- **implement unconscious bias training** for everybody within the organisation, starting with managers¹⁶
- **appoint unconscious bias champions** to proactively raise awareness, talk about the impact of unconscious bias and encourage everyone to attend training
- **use blind and/or contextual recruitment** measures for all internal and external vacancies¹⁷
- **introduce work allocation policies** or allocation of work being undertaken for all staff to eliminate bias¹⁸

2. Commit to start a conversation with your leadership team on the impact that unconscious bias can have on appraisal/performance reviews and when opportunities or promotions are being addressed within the organisation

3. Commit to ensure that male and female candidates are considered for every high-level opportunity

4. Commit to installing mixed boards and panels throughout your organisation when making decisions relating to recruitment, assessment, shortlists and promotions to take into account gender, race, age, background, ability and ethnicity



¹⁶ The Law Society's free 'Understanding Bias' training is available to everyone by accessing the 'Professional Development Centre': https://tls.csod.com/LMS/catalog/Welcome.aspx?tab_page_id=67&tab_id=20000482

¹⁷ Guide accessible here: <https://www.lawsociety.org.uk/support-services/documents/using-blind-contextual-processes-for-recruitment-trainee-solicitors-england-january-2016/>

¹⁸ <https://www.lawgazette.co.uk/practice/womens-day-work-allocation-prevents-unconscious-bias/5060136.article>

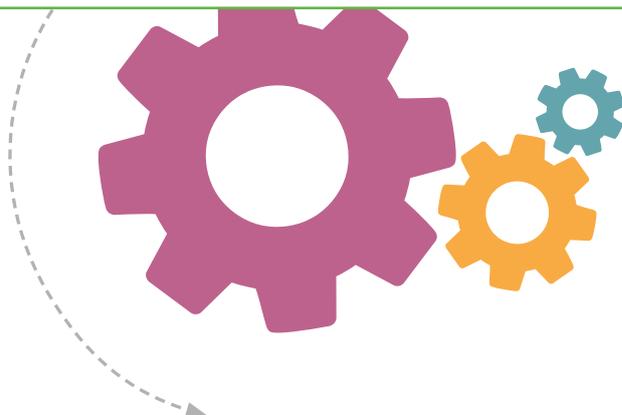


Gender Pay Gap

1. Commit to address the gender pay gap (GPG) as a priority area in your organisation.

This should include:

- developing a GPG action plan for your organisation setting out how pay gaps are being and will be addressed
- include partner pay alongside employee pay data in gender pay gap reporting to develop a useful benchmark
- if your organisation does not have a GPG action plan because it was not mandatory to report, offer to follow up with relevant areas of the business to ensure that tackling GPG is a priority and to support implementation.¹⁹ Priorities may include:
 - implementation of **flexible and agile working** and include staff input on what would work for them²⁰
 - reviewing policies on **shared parental leave, maternity leave, paternity leave and supporting working carers**
 - introducing initiatives focused on **women returning to work**
 - reviewing policies and procedures for **recruitment shortlists and interview panels**
 - reviewing your **pay and reward structures**, with a particular focus on performance related bonuses, to ensure transparency and compliance with equal pay legislation



¹⁹ Should you wish to access further support and information, Business in the Community has developed four useful tools to help businesses implement actions around GPG:

- a **Measuring Your Gender Pay Gap and Regulations**
- b **Understanding Your Gender Pay Gap**
- c **Communicating your Gender Pay Gap**
- d **Tackling Your Gender Pay Gap**

²⁰ Guide to working anywhere <http://www.polycom.com/content/dam/polycom/common/documents/guides/global-anywhere-working-guide-enus.pdf>

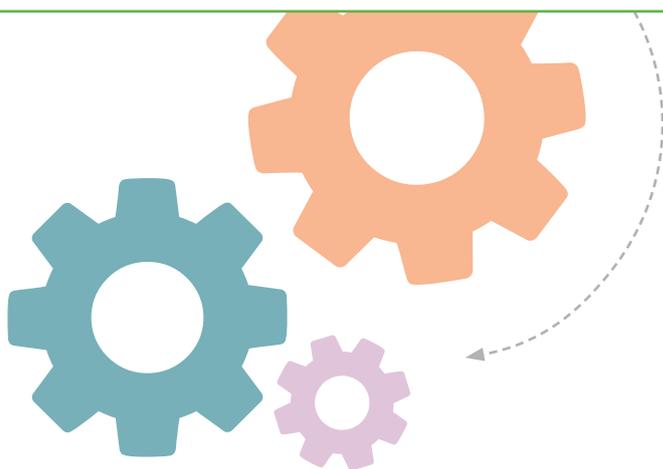


Flexible working

- 1. Commit to not making assumptions** about what mothers, fathers, or others with caring responsibilities want or are able to do, and ask your senior leadership team to identify the **flexible working solutions** which would be useful to the teams and individuals in your organisation, you could do this by carrying out a survey
- 2. Commit to considering the technical solutions which would help to keep teams working flexibly**, for example, forward desk phones for seamless client experience and use internet calls and video conferencing with clients and colleagues alike
- 3. Commit to asking your leadership team to assess what factors are crucial to roles to determine whether they can be done from alternate locations** or outside the usual 9-5 timeframe; you could implement pilot trials or hot desking to experience how teams work when not in close proximity, and when recruiting advertise that all flexible ways of working from all applicants will be considered
- 4. Make flexible working available to everyone by focusing on contributions rather than time spent in the office**, and have role models in senior positions consistently work in a flexible way to publicly lead by example and make sure that it becomes culturally acceptable to work flexibly without the risk of stigma
- 5. Commit to asking your leadership team to create objective performance measures** so that flexible workers are not judged more/less favourably than their peers – use metrics to monitor everyone's performance
- 6. Commit to asking your senior leadership team to ensure that work is evenly distributed** so that everyone gets a chance to do the exciting/skill developing/high profile/glamorous work irrespective of their working arrangements; and hold managers accountable if they delegate work unfairly
- 7. Commit to taking shared parental or carer leave** if you are entitled to it and share your experiences externally with others, and inform your HR representatives about what worked well or could have been helpful

Best practice

- 1. Commit to countering unfair negative presumptions and low expectations** which are expressed or inferred about colleagues on account of their gender or other immutable characteristic
- 2. Commit to not taking part in all male panels**, and offer to source a suitable female candidate to speak in your place
- 3. Commit to getting involved in your internal mentorship initiative** and start a conversation with your leadership team about sponsorship to actively support more junior staff to progress their career, for example, assess whether both male and female candidates are considered for every opportunity, and source other candidates if not
- 4. Commit to establishing a working group to ensure accountability** with the business that reports progress to the Board or partnership on a regular basis
- 5. Commit to asking your leadership team to make an explicit commitment to gender balance** in governance charters to improve workplace culture and business performance and to ensure that there is accountability in reaching those targets



Glossary of terms

Unconscious bias – refers to both positive and negative attitudes or stereotypes that affect our understanding, decisions and actions towards or about an individual or group in an unconscious manner

Conscious bias – refers to both positive and negative attitudes or stereotypes that affect our understanding, decisions and actions towards or about an individual or group in a conscious manner

Gender pay gap – figures comparing men and women's mean and median pay across the organisation

Equal pay – men and women in the same job role performing equal work must receive equal pay, as set out in the Equality Act 2010

Flexible working – hours which are flexible to accommodate start and finish times, or working remotely

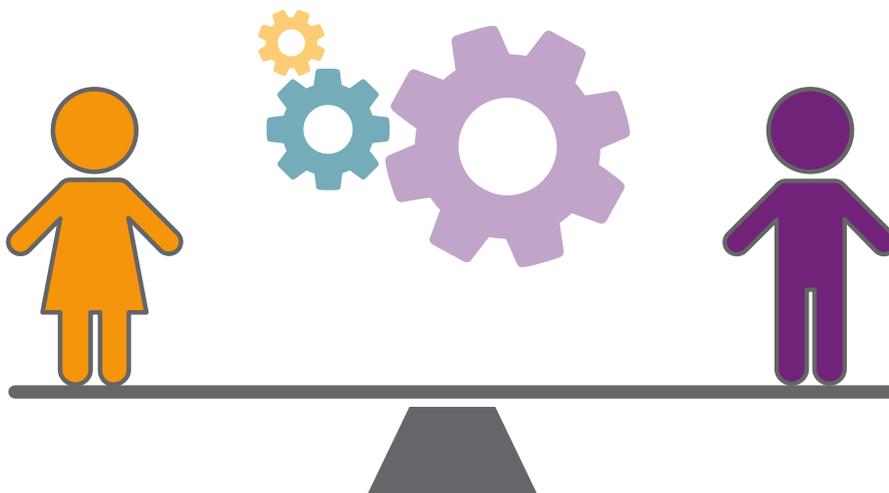
Agile working – being able to work where, when and how, with maximum flexibility and minimum constraints, that optimises performance

Mentoring – a more experienced/knowledgeable person guiding a less experienced/knowledgeable person to support their career development. The mentor may have different personal characteristics (age, ethnicity, gender etc.) than the person being mentored

Reverse mentoring – older or more experienced staff members are paired with younger or less experienced employees to discuss issues and get insight. It could be used to identify issues experienced by someone with particular characteristics, e.g. gender, disability, ethnicity etc. and it is a useful way of raising awareness and breaking down stereotypes

Sponsorship – taking proactive measures to advocate and champion a typically younger or less experienced colleague in their career development

Gender Pay Gap data is available to everyone and it will impact career choices.



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