

Briefing

May 2017

SMARTER LEGAL BUSINESS MANAGEMENT

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your business resilience?

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Editor's letter



Who we are...

People



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May day is often good for a juicy merger – and this month tongues will be furiously wagging following the completion of the mighty CMS, Nabarro and Olswang combination. Meanwhile, the pundits line up to spy a fresh wave of consolidation about to come crashing down on the shores of legal business, as even big names like this need to consider their strategic positions.

The press release pays tribute to a “highly effective integration programme” over the past six months. Well, we’d expect nothing less. Still, even with everyone flocking together at the fancy CMS HQ (which **Briefing** saw for itself – and wrote about – back in February 2016) that’s an awful lot of new faces to meet and greet, grow to know, like and respect, and ultimately turn into

collaborative, productive and profitable working relationships.

Time and again, we hear, it's the people bit that will make or break a big merger. But could your technology choices improve your chances of success?

Time and again, we hear, that it's the people bit that will make or break a big merger. But could your technology choices improve your chances of success? CMS's version of the cost-busting agile working craze sweeping legal involved freeing people to work away from their desks and around the office a lot more (not just in meeting rooms), as well as

logging in at home a day or two a week. That meant bringing in the latest easy-to-move tablets and personal headsets – which also help spectacularly busy people to encounter one another for ad hoc catchups wherever they roam. But it's probably now that everyone from three different firms officially come together under one roof that the more intangible benefits of that kind of investment could really start to scale.

On the other hand, if CMS people weren't already taking advantage of working out of the office more, you'd perhaps also expect a significant uptick in interest there. And if that's the case, the videoconferencing and screen-sharing kit put in a couple of years ago will be well tested in getting these new faces working together in a wider assortment of dispersed teams.

Finally, new CMS people might just about find time to read our cover feature this month (p14). Any managers certainly ought to, as offering visionary technology to help people collaborate isn't quite the same as getting them to get along like a dream.

RICHARD BRENT EDITOR



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Learning to cooperate

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Briefing

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Shared visions
inspired by the best

Briefing is the only legal business management title, and is focused exclusively on improving the work and worlds of law firm management leaders. Every issue is packed with relevant insight and lessons from peers and pros.

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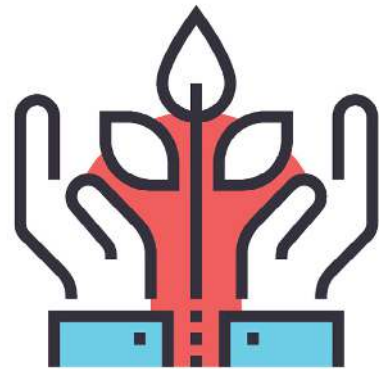
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 ROUNDUP

Platforms for growth



Growth plans are being stepped up a gear in a fair few top 100 firms this month. **Pinsent Masons** is preparing to launch in Madrid in May – which would be its third international office in a year. The practice will be built around the firm’s global sectors of advanced manufacturing, technology, infrastructure and financial services, and follows energy-focused openings in Johannesburg and Dusseldorf, as well as the expansion of the **Vario** flexible lawyering brand into Australia.

150

New lawyers in Denmark make **DLA Piper** the largest law firm in the Nordic region

Senior partner Richard Foley said: “Our vision is to be recognised as an international market leader in the global sectors in which we operate, and we recognise that we can only do that if we are serious about supporting our clients across key commercial centres.”

It also comes after Pinsents acquired a 20% stake in NewLaw startup **Yuzu** – which offers clients the option of transferring parts of the legal function out of the business. The firm is providing seed funding and strategic support.

Insurance-focused **Keoghs**, meanwhile, is opening its first office in Scotland – in Glasgow – which will handle the full range of claim types already on offer from other UK bases. Chief executive John Whittle said in a press release: “Opening an office in Scotland is a vital strategic element for our long-term growth, allowing us to stay at the forefront of legal services for the insurance industry across the UK.”

And global giant **DLA Piper** is getting a little bit bigger still, after acquiring leading Danish law firm **LETT**. Another 150 lawyers stationed in the local firm’s Copenhagen and Aarhus offices make DLA the largest law firm in the Nordic region now, with five offices. It merged into Finland in February 2016, as well as integrating more closely in Sweden, formerly known as DLA Nordic.

Offices aren’t everything, though. **Moore Blatch** is investing in the potential of more mobile working for its clients. Tapping into the ‘self-service’ trend, the firm has launched a free mobile app (iOS and Android), including over 20 financial calculators, an income tracker, receipt management tool and a short guide to whether or not to incorporate your business. There are also blogs and vlogs from the firm’s lawyers on a range of legal issues, personal and business.

Head of business development and marketing Mark Aston said: “The law and, just as important, the rules and taxation that surround it continually evolve and change so it’s impossible to retain knowledge of all areas. That’s where technology steps in, especially mobile technology such as our app, providing a single reference point to literally thousands of sets of information.”

But however you decide to grow – and no matter how big you get – cybersecurity remains a threat, reminds the **Solicitors Regulation Authority’s** spring update to its risk outlook. Watch out for ‘CEO fraud’ – where a senior manager is impersonated in email communications – or being tricked into dealing with a bogus firm. ▲

However you decide to grow – and no matter how big you get – cybersecurity remains a threat, reminds the **Solicitors Regulation Authority’s** spring update to its risk outlook.



NICK JENNER
Director of IT – Ince & Co

Cybersecurity is top of the IT agenda at Ince & Co, particularly in the current climate. Internally, we're continually reviewing our security policies and procedures and will continue to do so in light of the upcoming EU GDPR changes. With approximately two-thirds of large UK businesses being hit by a cyberattack in the last year, we know that this is an issue that many of our clients are facing, too. In response to this, we've developed a cybersecurity health check to help clients protect their business interests and manage cyber risks.

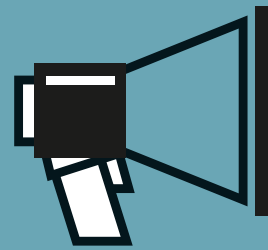


JOHN SALT
CIO – Keoghs

With GDPR around the corner we're now pursuing certification to ISO27001. Keoghs has long aligned itself to ISO27000, using its requirements and guidance to help us manage information security, but we haven't previously pursued the certification itself – we deemed the cost of certification unnecessary since our clients audit us 'direct'. With GDPR's emphasis on rights for individuals, however, the certification now makes more commercial sense for demonstrating that we handle information correctly.

Preparation time

What is your firm doing to prepare itself for the EU's General Data Protection Regulation?



STEVE BYRNE
Information security officer – DWF

DWF is ISO27001 certified, so we have assurance that our information security policies are robust, but we'll be looking to enhance them in line with GDPR requirements. As cybersecurity threats increase, so do the expectations of our clients and business partners, so we're benchmarking ourselves against the highest industry standards. The approach we're taking is to review existing controls across all business areas as part of ongoing security improvements, as we aim to satisfy not only the GDPR, but also the Network and Information Security Directive.



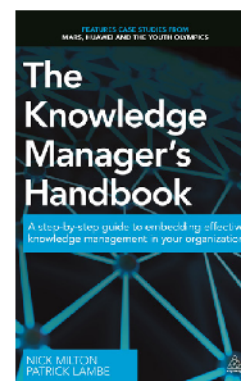
NEIL ATTREE
Head of IT – Michelmores

Cybersecurity is central to ensuring the ongoing protection of sensitive personal data, and is therefore a key component of the new EU GDPR coming into force in May 2018. With 'security by default' a key component of GDPR, we're continuously reviewing and investing in our cybersecurity policies and procedures in line with the ever-changing potential threat landscape. As part of this, we've already performed a comprehensive data protection impact assessment to ascertain our overall risk exposure.

READING LIST

Who knows what

Lucy Dillon, chief knowledge officer at Reed Smith, says *The Knowledge Manager's Handbook* has great practical value, but – like legal business knowledge – may need handling with care



One of the reasons I so enjoy my knowledge management role is that it offers me the freedom (within reason) to get involved in many areas of law firm management. Arguably, knowledge has a role to play everywhere.

With that comes a challenge: there's a saying that if you put five knowledge managers into a room, they will come up with seven definitions of what KM is. Those of us who've been in the legal KM game for a while will know it's often hard to explain exactly what it is – so I knew I was going to enjoy this book when authors Nick Milton and Patrick Lambe offered up that quote on the very first page.

The authors are ambitious in their aim, which is to guide the reader from that vital first task – defining KM for your organisation – right through to the role of KM after implementation. Be reassured ... there is one.

On the journey they tackle some of those thorny issues that all KMers face: articulating a strategy, influencing stakeholders, building a champion network, metrics, culture and, of course, change management.

Two of my favourite chapters were 'Barriers and pitfalls' and 'Dealing with bumps in the road'. These highlight some of the objections and challenges all those implementing KM will face from time to time in their roles. It was therapeutic to see them articulated so

well. It was also useful to make a note to self to work with my team to future-proof against those we haven't yet encountered.

There are models aplenty here, and I have already started to use two of them: the 'benefits map', which sets out the aims and objectives of any KM project very clearly, and the 'skills matrix', ensuring the right spread of skills across the KM team.

Refreshingly, the book isn't aimed specifically at the legal profession (although a number of the case studies are based on law firms) – and I welcomed the opportunity to compare what we do with case studies from other industries. You find the same challenges, but different approaches to dealing with them.

A word of caution, however – just as you wouldn't read Delia Smith's *Complete How To Cook* in one sitting, this isn't a book to read straight through from beginning to end. The book is also a 'complete how to'. As such, it is very dense, and could leave you feeling a bit overwhelmed. I would suggest dipping into it for advice and guidance on a specific phase of implementation or a particular issue.

That said, the book is very easy to navigate – short paragraphs, case studies, and practical, useful tips throughout. I would definitely recommend this comprehensive book to those new to KM and veterans alike. ▴

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WHAT'S ON YOUR WHITEBOARD?



Carol Stubbings, global head of people and organisation and global relationship partner at PwC (and Briefing Operational Leaders in Legal 2017 conference keynote), says a lot goes into values at work

Q What type of businesses would law firms do best to look to for useful lessons?

A I'd point to two. First is professional services more broadly, and I say that because of how they've diversified over time in line with market demand. But more adjacent, I also think financial services as a group – that's because they've been hugely disruptive in how they sell to customers. However, they've also been shaken up themselves by the financial crisis – they've had to take a long, hard look at themselves and their values, and how to attract the talent they now need for the future with the right behaviours.

Q How do you think the skills mix in professional services firms now most needs to change?

A I think people who work in professional services have always grown up in a very 'successful' environment, where they've really relied on selling themselves and their brains. With artificial intelligence, that could well be under some threat. As people generally, we've gone from using our hands to using our minds, but in future I think we're going to have to use more of our hearts. That means an

ability to build relationships at levels I honestly think many aren't ready for – to navigate lots of different information for the best answer, but also to emotionally connect with the issue.

Q How big a difference do you think AI will make to your own line of work?

A I'm firmly in the positive camp. First, it will create capacity – and second, it will provide more data that enables clients to make better decisions, potentially based not on the past but on what will happen in the future. There's absolutely no doubt that AI and technical advances in general will impact pretty much every single job we have today. And organisations that accept this, embrace it, and look at ways of disrupting their own business, will be most successful in the future.

Q How should a company create corporate values?

A It's really important that it isn't in isolation – and you create values that everyone can relate and aspire to. At PwC we engaged with the people we employ globally using technology to understand which values were meaningful and important

to them. It's important to have values that you live and breathe, and not only reflected in the strategy, but also by the leadership's role modelling, communications and policies so they're embedded across the business.

Q Do you think millennials at PwC really want something different from work and career?

A This one is really interesting. Of course, some people say they only want something different until they want the mortgage, car and nice holidays. But I do think their reality is just different. If they're working to 75, they're likely to want two or three careers. At the same time, we don't have the same lock-in on pensions and other benefits of what I might call quite paternalistic organisations, where you could make your way from shop floor to CEO over 35 years. It's really facing that reality that changes the mindset.

Q What's most vital to improving gender diversity?

A I don't think there's one action – but they have to flow from the top. You also need strong male advocates – as we definitely have here – and they have to live and breathe it. ▴

Database



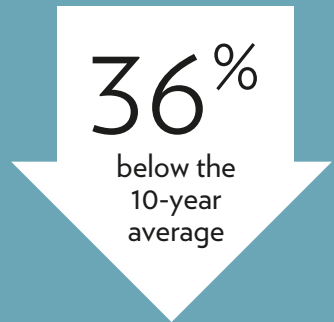
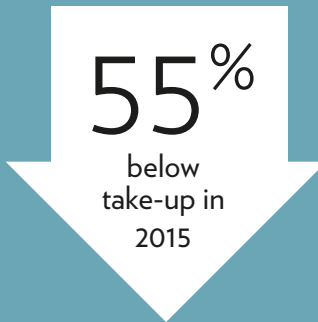
Open up!

The latest CBRE Law in London report finds the number of firms working in full open-plan layouts has increased by nine percentage points in five years



But CBRE says Brexit appears to have dented firms' appetite for further space of any form ...

Law sector take-up in 2016 = 499,900 sq ft



AGILE ENDEAVOURS

30%

of firms in London have an agile working policy

40%

are planning to implement an agile working policy in 12 months

69%

of employees would trade other benefits for 'better' workspaces

Source: The fifth edition of CBRE's Law in London report analyses the way the largest 100 law firms in London use their office space.

SPEAK UP

Stakes of mind

Promoting appreciation of mindfulness in the workplace is much more than a management fad, but it can't be forced on your fee earners, says Louise Hadland, HR director at Shoosmiths



I first heard about mindfulness seven years ago from a sage lady I met on a training course. "It's going to be the next big thing," she told me – and I remember quipping that my mind was already overfull, but a little mindlessness wouldn't go a miss. It wasn't until a few years later I came to realise my co-delegate possessed impressive insight, as the offers of mindfulness training flooded my inbox.

But my real insight came from Michael Chaskalson, a high-profile trainer in its application in leadership and other workplace contexts.

Shoosmiths invited Michael to speak to the firm's senior managers. This was persuasive, and led to us rolling out an eight-week mindfulness course. However, I'm yet to have my 'road to Damascus' moment – seeing a business panacea. The reason for that is that to become mindful requires practice – every day – and while we all crave the perfect beach body, few will apply the requisite time and willpower. So it is with mindfulness.

There's no doubt that many of us would benefit from calmer, clearer decision-making, but will we invest the time in it? Of course, some will – but many others won't. And as with other wellbeing initiatives (get more sleep, drink less, exercise more, eat less) an organisation can only educate, encourage and support. I doubt I will see the day when bonus criteria includes the number of

minutes of mindfulness practice each day.

But I am of the view that all seniorities can benefit from understanding the usefulness of mindfulness in a business context. According to Chaskalson, the quality of decision-making depends on the effectiveness of 'working memory'. The neural networks responsible for this are few in comparison to the brain's overall processing power, but it's responsible for giving us much of the meaning we ascribe to the information that bombards us every day. A limited resource, it is also short-term and degraded by stress – and when depleted we start to feel frazzled. We struggle to think clearly. Mindfulness can help us to prevent this frazzle.

When we sit and ponder the world, our minds will wander within a constant stream of consciousness. We're easily distracted, our attention constantly fractured as we flit from thought to thought, Facebook to Instagram. Mindfulness can help us to focus on the matter in hand, to attend in a non-judgmental way, allowing what is the case to be the case – not constantly fighting it, nor disappearing into a vortex of 'not good enough'. I'm not good enough, they're not good enough, it's not good enough ...

For leaders and managers, it means they can really listen to people. The best communicators have an ability to turn focus onto the individual – and make them feel like the only one in the room. From there follows engagement, motivation and – for law firms – increased billing.

And just a few minutes of practice every day can see a vast improvement. Now, that shouldn't be too hard ... but it is.

There is a strong business case for investing in an education programme for a firm's people, but it isn't an area where it can exercise control. That's down to each individual. In the words of Rag'n'Bone Man: "I'm only human after all." ▾

There is a strong business case for investing in an education programme for a firm's people, but it isn't an area where it can exercise control.

Sport support

Sian Keall, diversity partner at Travers Smith, says the world of sport offers both valuable inspiration and practical pointers for fostering higher-performance inclusion at work



Sport has the capacity to affect the forces of history in ways that few other institutions can. It can unite, change minds and inflame passions, and has the potential to nurture acceptance by bringing people together across borders, cultures and belief systems. From global events such as the Olympics to local football teams, sport can promote greater tolerance and understanding among individuals and communities.

In 2015, Travers Smith developed a strategic partnership with the Women's Sports Trust (WST), a UK charity focused on sport and gender equality, to explore the links between sport and inclusion. Building on this successful partnership, we developed a plan, entitled Be a Game Changer, to harness the power of sport in helping us create a more inclusive workplace.

A number of firms use lessons from sport to help them build motivated, high-performing teams. However, we have deliberately engaged with non-traditional and unexpected voices from

the sporting world – to learn more, not only about their sporting careers, but also about issues relating to identity and inclusion.

For example, in February 2017 we held an evening with Welsh international rugby union referee Nigel Owens, who gave an inspiring and personal account of his 'coming out' story. In October 2016, we invited Paralympians and other para-athletes into the firm to share experiences – and this spring, we're working with Red Roses England Rugby, the current holders of the Women's Rugby World Cup, to talk about gender and building high-performing teams.

In order to ensure each initiative had meaningful impact, they were followed up with best practice toolkits to embed at work. These included materials produced by the charity Scope, for example, designed to help people feel more confident talking about disability.

I'm proud to say that our diversity and inclusion-related work has been recognised externally over the past year. In 2017 we were included in Stonewall's list of the top 100 LGBT-friendly organisations.

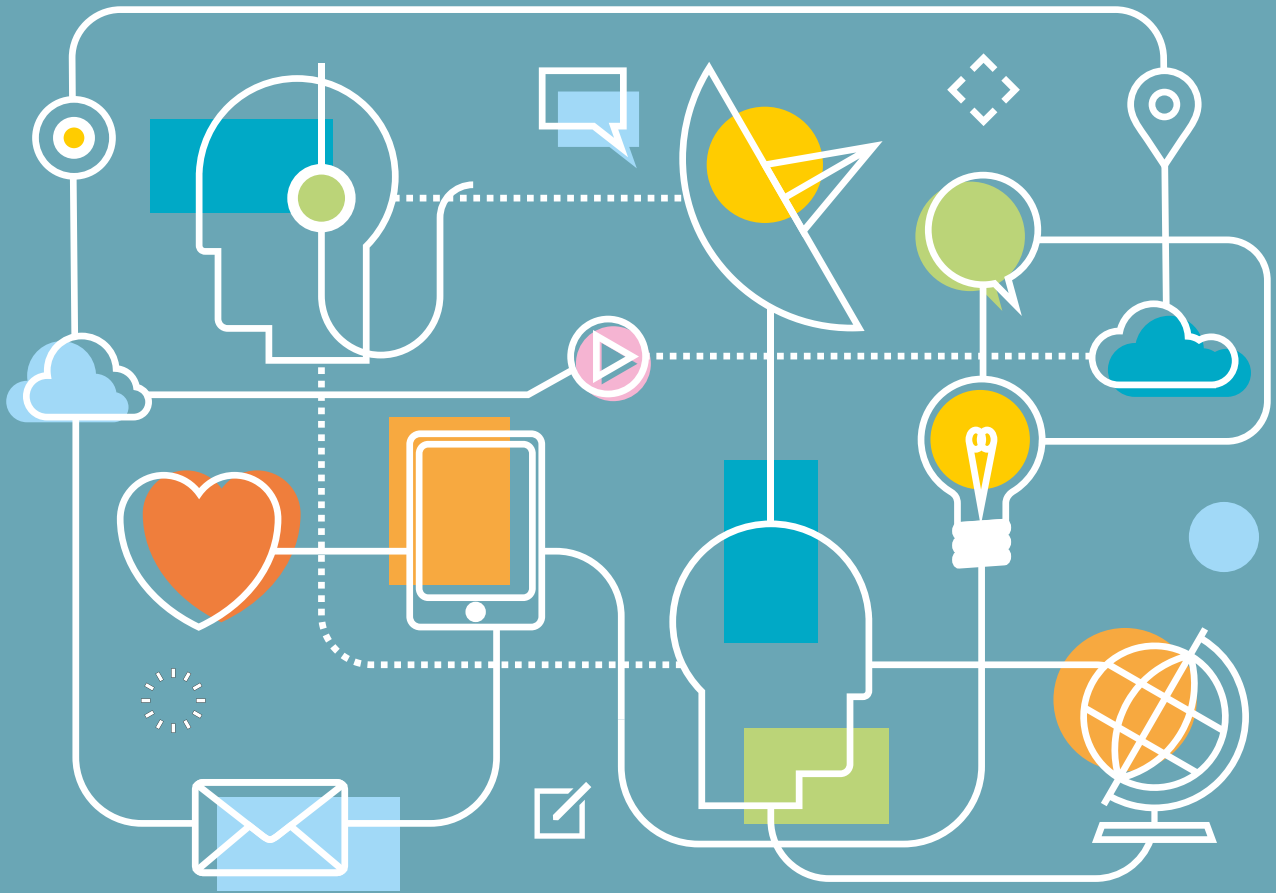
Perhaps more importantly though, Be a Game Changer has had a positive impact on our people. According to our first staff attitude survey, 96% feel able to "be themselves" at work, 99% are committed to do what they can to enable others to do the same, and 90% see inspiring role models they can relate to in the firm. ▲

We have deliberately engaged with non-traditional and unexpected voices from the sporting world – to learn more about not only their sporting careers, but also about issues relating to identity and inclusion.

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Features

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Sharing and caring

Firms outline investments in new collaboration channels to create tighter teams

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Smooth operations

Kayli Olson has the highlights from **Briefing** Operational Leaders in Legal 2017

Sharing and caring

Businesses are turning to a growing range of new collaboration tools to overcome email overload and promote more project-based, agile and responsive working. Not to mention making work more like checking your Facebook feed and followers. But can they ever replace proper face time? Richard Brent reports

Email etiquette can contaminate workplace culture, according to a recent international study from the Cambridge Judge Business School – which identified a dramatic “culture of fear and low psychological safety” at work if the tool was used unwisely.

The cause of dread? Cc-ing the boss.

Where this was common practice, the study found employees not only felt less trusted, but also inferred that the organisation’s culture was low in trust overall. And it’s not even a British thing. The same effect was noted in China as in the UK and US. Even “good faith cc-ing” – for example, perfectly reasonably not knowing the answer to a colleague’s perfectly good question – was found to be potentially damaging.

David de Cremer, KPMG professor of management studies at the school, says: “The implication of these findings is that companies and other organisations need to be aware that electronic transparency, no matter how well-intentioned, isn’t a holy grail of efficiency or harmony. Too often, transparency is seen as an end in itself, but these studies show that including supervisors can make employees suspicious and prove counterproductive.” He suggests managers may need to set rules for the practice, or even intervene in cases of overuse.

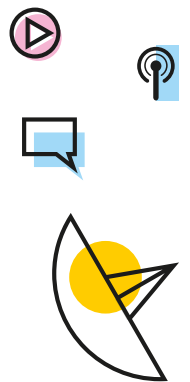
If this all sounds slightly overindulgent of your organisation’s ‘snowflakes’, it’s worth considering that the direction of thinking is very clearly that greater transparency in comms is specifically designed to enhance team collaboration and productivity – inspiring a sense of shared ownership of projects that are also less likely to slip down into silos. But De Cremer suggests that even the spread of collaboration software such as Office 365 and Slack may carry “trust issues” (notwithstanding that people arguably have less expectation of privacy when using them).

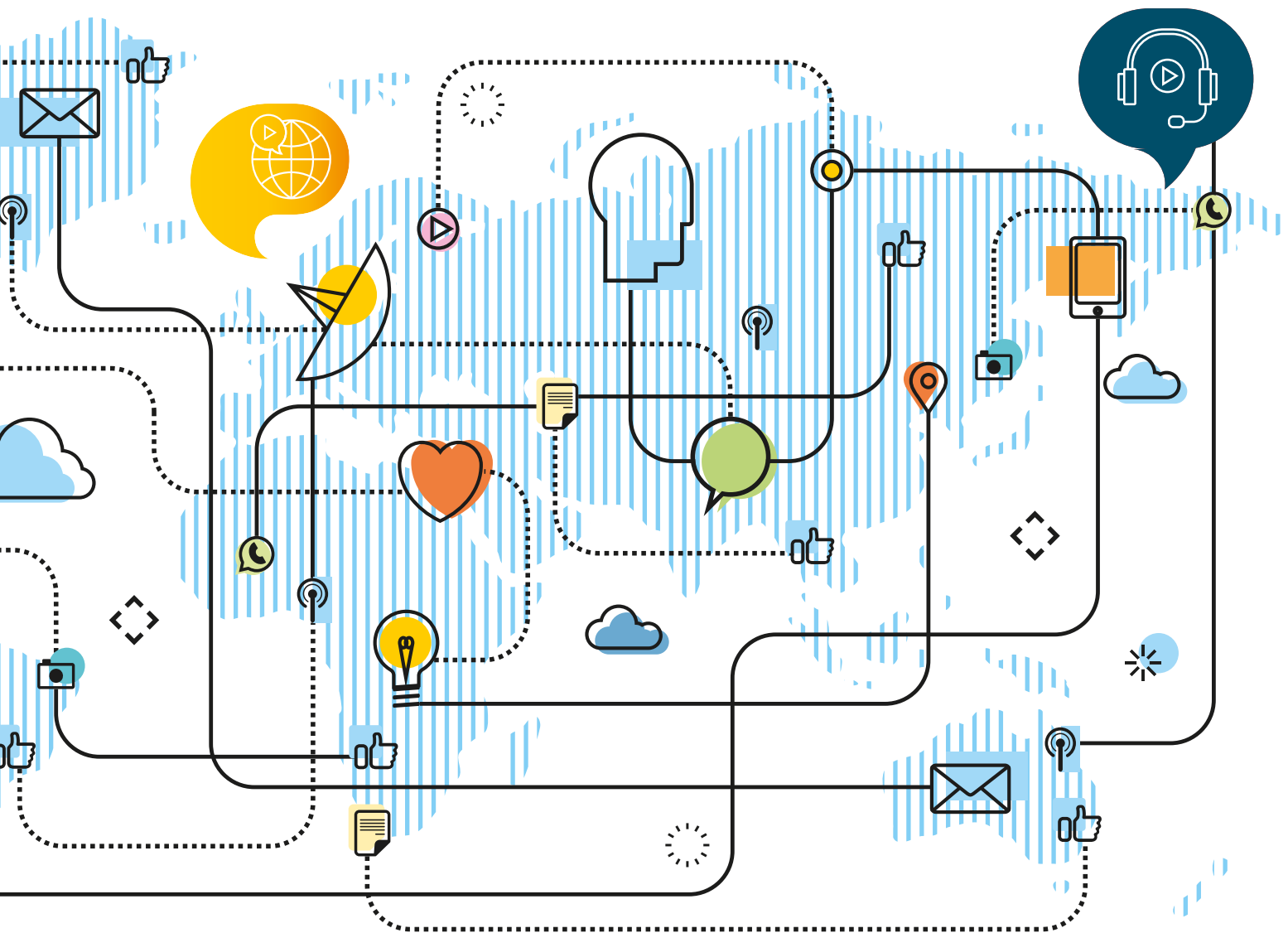
Social outings

Of course, the broader point is that how people use new technology in practice is as important as what it can technically empower them to do.

That’s why those ‘selling’ it try to make the right behaviours intuitive – and even, perhaps, to replicate other trusted collaborative experiences.

For example, it can hardly come as a surprise that we now have Facebook at Work (no, not just surreptitiously checking your feed). Although completely separate from one’s personal accounts, colleagues can now create profiles, events and groups for work-related matters, as well as posting photos – and sending private messages. By the end of 2016, all 100,000 employees at bank RBS were using the tool, following a pilot that found “staff





were able to work much more efficiently together, answer customer queries faster, update other colleagues on their work in a much more engaging way and source a far wider range of ideas for ongoing projects,” it said in a press release.

“Given how many people already use Facebook in their everyday lives, it was picked up quickly by those on the pilot, with minimal training needed.”

In 2017 global law firm White & Case won an award for a new intranet arrangement that clearly takes some inspiration from the world of mining and sharing information on social media to enhance collaboration. Less communication hierarchy is an important element.

Chief knowledge officer Oz Benamram says: “It’s easier to find the people who know what you need when it’s a very flat structure. You either have access or you don’t, and everyone with access can see the discussion as it happens. People can post questions, comment, share and like – just as they’re used to doing on Facebook.”

However, Benamram has more problems with

email as an alternative than any perceived barriers.

“Email is inefficient as an attention management system,” he says. “If I send an email about financial results to all the firm’s partners, only current partners will receive it, and none may be able to find it again. However, if I post it on a ‘partner page’, and tag it appropriately, even future partners will be able to find it when it’s relevant. It also simply saves people a lot of time filing, reading and deleting things they don’t need.”

And the big deal for the firm’s KM future is building new ‘matter pages’, bringing, for example, documents and financials together in one place for more project and post-project collaboration.

“If it’s only the team that works on a matter that can see that matter, it might give you a greater sense of security, but you lose the benefit of being a part of a big firm. We want to stay as open as we possibly can, unless we must restrict access.”

“We’re also looking through the buzz around AI to see whether it can help us to manage matters better without wasting lawyers’ time on it.”

Howard Kennedy also has more openness on the agenda. In April 2017, the London law firm chose Ravn's cognitive search solution Ravn Connect Enterprise to help order its knowledge in a way more conducive to proactive collaboration.

Head of knowledge management Robin Hall says: "The key change brought about is that it makes our knowhow much more visible and 'public'. All our materials are now very easy to find, and this has been challenging for teams that have been used to restricting the sharing of their knowhow to smaller groups of people.

"Questions about who now might see or have the ability to use the knowhow have been raised, and have required discussion and resolution. One key comfort factor in dealing with this concern is the fact that all the content is stored and managed in the document management system and so any use, of any nature – viewing, printing or copying to create a new document – is recorded through the audit trail in detail because Ravn exploits all security and audit features of the underlying DMS.

"However, I am expecting that the greater visibility and availability of knowhow will have a positive impact. By making the scope and quality of the firm's expertise more visible, it will be easier for people to identify where our expertise lies within the organisation."

Device demands

Collaboration is also under investigation at firms because of the marked increase in agile working schemes, often now complete with mobile work stations and hands-free headsets. Released from sitting in the same place all the time – the argument runs – there's greater freedom to collaborate around the office in person in new ways. But the flip side of that is that more and more home workers need bringing into the collaborative loop.

When Browne Jacobson embarked on its 'mogility' initiative, it was identified that a paper-

"By making the scope and quality of the firm's expertise more visible, it will be easier for people to identify where our expertise lies."

*Robin Hall, head of knowledge management,
Howard Kennedy*

Room for clients



In March 2017, Allen & Overy unveiled a new "innovation space" – dubbed Fuse – intended to foster greater collaboration with clients in exploring the potential of new technology developments to help solve their specific business challenges.

Jonathan Brayne, partner and Fuse chairman, says: "We wanted a space that not only accommodated early stage companies, as existing channels do, but also our own technology experts and our clients – because it's collaboration between those communities that we think will accelerate tech developments.

"We're aiming to create a space which encourages what people now call activity-based working, and that involves areas for each of the 'five Cs': concentration, collaboration, contemplation and community – but also, because we are a law firm and are often dealing with sensitive information, confidentiality. There's plenty of evidence that a varied space of that kind is more conducive to collaboration and co-creation than most other workplace formats."

He adds: "We have found that A&O people innovate most effectively when the firm makes it easy for them by providing the tools and the framework which people can draw on."

An example of that, says Brayne, is the firm's 'i2 group' – which includes a small technology team that will, in fact, also be based in Fuse HQ. "It's an innovation funnel that encourages people within A&O to submit ideas about how we can best use technology to work smarter – continuous improvement. Ideas are vetted by a group of A&O mentors and, if voted as having potential, they are piloted and tested internally in an agile way by our i2 technology team and then assessed for rolling out widely. In other words, we've set up a process and a team with the right technology skills to make it easy for people to implement their ideas for smarter working. The idea is that Fuse will do the same thing for clients and client solutions – by providing an environment that encourages collaboration between them, new technology providers and A&O.

"We plan to engage with clients over the coming months to explain Fuse to them and develop specific ideas for how it can be put to work for them. That may be to work on a project for which a client has engaged A&O and on which there is a material tech component. It may be to engage with one of the early stage participants in Fuse. It may be to bring multiple clients together to discuss and crack a shared challenge. Or to facilitate the same for a single client team. We're also aiming to have a demo space where clients can play with multiple applications."

The space, designed to fit up to 60 people, is located on the boundary of the City and Shoreditch – where else? – (although that is in A&O offices). Applications opened in April, and the first collaborators will move in in September.

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light push was needed at the same time, says head of business operations Karen Walker. Indeed, both open-plan and more paper-light working paved the way, such that when more mobile and home working is introduced the various types of technology to facilitate it will already be in place.

“We tested different ways of working, and critically all mail is now scanned and available electronically so that it’s available to the recipient regardless of where they’re working,” says Walker.

Instead of hotdesking, however, desks are grouped into new ‘team zones’ – which people know to head for if they’re in the office that day (the firm’s research found that 25-30% of desks are typically empty because of natural movement).

But at home, mobile workers are equipped with the same dual screen setup (a laptop as the second screen). “We trialled various devices with users in a mix of departments, because they have different core tasks that need supporting,” explains Walker.

Matt Craven, the firm’s head of IT, adds: “We also have a full implementation of Skype for Business – instant messaging, presence, call groups and the ability to share documents across the corporate network. We’ve implemented it fully on laptops, iPhones and iPads as well, so you can have your messaging whether you’re in your front room, with a client or anywhere in between.”

“If someone puts a message out to the team, anyone in the team can answer it without relying on email,” says Walker.

The firm has also introduced a new system of task allocation (also mobile-enabled), while further collaboration tools are on the agenda to centralise both chat and knowledge-sharing comms, essentially removing geography as a factor.

Agile less fragile

But geographic lines are already being broken down more in face-to-face contact, says Walker.

“The biggest thing to come through in feedback was how much more people were learning because they were seeing different people and overhearing different conversations. It’s even integrating our offices more, as people visit Manchester [the first office to trial agile and mobile working] to see what’s happening, and discuss the challenges and opportunities. They naturally come up with new solutions and ideas when considering how it could work in their location or team.”

On the other hand, with more remote working, it has been pointed out that it can be harder to

“We trialled various devices with users in a mix of departments, because they have different core tasks that need supporting.”

Karen Walker, head of business operations, Browne Jacobson

capture those ‘watercooler moments’ that might make the difference to any great idea forming.

You could try to replicate such informality online. But following Dell’s lead – after a useful chat at a conference – Deloitte chose to experiment with changing the conversation itself.

The pair’s ‘virtual socialising’ idea uses videoconferencing to connect people to speak – but a key rule of engagement is that everybody ought to be having their lunch at the time (as that makes them more laid back).

Juliet Bourke, partner, human capital, at Deloitte Australia, says: “Our primary connection to each other is so often about work – and having a meal together successfully disrupts that. If you’re not sitting around with a piece of paper and pen, it gives the conversation a different dynamic.

“There’s no work agenda, but in the free flow of conversation, good things typically come up.” It’s just like at the watercooler, which starts with something like ‘How’s life?’ “The only difference is you know who you’ll be seeing in advance.

“It’s really about building social capital. We’ve done other research into remote working, which found that when problems arose on a project, people didn’t have the social capital to withstand the shock, even on a minor issue. Understanding circumstances helps relationships.”

And she says that should mean this version of the ‘lunch and learn’ also fits into any firm’s broader narrative about offering work-life balance and wellbeing benefits – and doesn’t require much in the way of change management.

The only drawback is that, rather like a good dinner party, it may be quite hard to scale. “You want the whole group to converse. You don’t really want side conversations,” says Bourke.

Confined to a group of six or so, you could even find yourself opening up and revealing you can’t quite believe so-and-so copied your boss into that very peculiar email ... ▴



Smooth operations

Leaders in all sorts of operational and managerial roles across the legal sector flocked to **Briefing Operational Leaders in Legal 2017** in March to discuss what it takes to lead change in a law firm ... which turns out to be quite a lot. Kayli Olson reports

Our esteemed **Briefing** Operational Leaders in Legal conference returned in March 2017 after 18 months roaming the ground for white truffles – and found them we have.

This year we were delighted to welcome Andrew Darwin, chief operating officer at DLA Piper, who put the ‘crap’ of the legal industry in its place in his keynote.

“The role of the COO is very much dependent on your skillset and the aim and model of the firm. Nevertheless, it is important to remember to be Crap – calm, respectful, available, patient,” said Darwin to gales of laughter.

He also outlined the seven hats a COO could potentially wear as put forward by Harvard Business Review – the executor, the change agent, the mentor, the other half, the partner, the heir apparent and the MVP (most valuable player).

Drawing on his own experience, Darwin talked through the arrogance of lawyers and what it takes to be a leader in the legal industry. “The matrix is a web you can get caught in or network to get things done, it all depends on your mindset.”

Take it to heart

Changing mindsets and work habits was on the agenda for our morning speaker, Carol Stubbings, joint global leader, people and organisation at PwC.

“Knowledge is everywhere now,” she said. Firms must learn how to share knowledge and work with the changes in workforce attitude, not against them. “We went from using our hands (farmers) to using our heads (creating business, tech, medicine) and now are using our hearts (saving people, environment),” Stubbings said.

Businesses are seeing the rise of the millennial in the workforce and a drive for more agile working arrangements – and they need to think about that when it comes to clients, too.

There’s a lot of disruption or potential for disruption in the market and firms need to stand ready – Stubbings explained: “If you don’t change, your clients today won’t be your clients tomorrow. Think about how Netflix disrupted Blockbuster. And even how Netflix disrupted itself – from providing DVD rental to streaming.

“The spreadsheet didn’t kill the accountant and



the ATM didn't kill the bank teller. Their roles just changed." And that law firms have to be ready for the same

She added that the perspective of those in senior roles in business – millennials are lazy – is unfair. They just want different things. "The same is true of your clients – you don't want to become irrelevant."

Power to disrupt

The workforce isn't the only thing changing; James Sproule, chief economist and director of policy at the Institute of Directors, examined the impact of Brexit and talked us through the five stages of grief for the EU. Well, we were told to use our hearts!

Individuals will have different views at different times, Sproule pointed out. "But build consensus and build confidence, there is no alternative."

And our keynote panel discussed technological disruptors such as artificial intelligence and automation, with experts from Simmons & Simmons, Hogan Lovells, Cripps, and Weightmans, facilitated by Thomson Reuters.

Christina Blacklaws, COO at Cripps, discussed that the work lawyers are doing is changing. Work undertaken by lawyers now will be passed to the lower level or automated.

Stephen Allen, global head of legal service delivery at Hogan Lovells, added: "The rate of acceleration is exponential. Increasingly, technology is able to do things that take us a lot of thought. Just training our lawyer to do more things isn't going to do anything."

COO, innovation group, at Simmons & Simmons

ABOVE FROM LEFT Stephen Allen, global head of legal service delivery, Hogan Lovells; Christina Blacklaws, chief operating officer, Cripps; Stuart Whittle, IS and operations director, Weightmans; Abigail Hunt, consultant, facilitator and coach, Treehouse Innovation and Møller PSF Group; James Sproule, chief economist and director of policy, Institute of Directors; Carol Stubbings, joint global leader, people and organisation, PwC; Andrew Darwin, COO, DLA Piper; Delegate; Richard Tapp, company secretary and director of legal services, Carillion; Richard Keenan, chief counsel, major transactions team, BT Group; and Mo Ajaz, group head of legal operational excellence, National Grid.

Ben McGuire agreed: "Firms need to develop a culture of being informed consumers. You don't need to be experts. And don't assume a better level of technological awareness just because the younger generation has grown up around it."

Stuart Whittle, IS and operations director and partner at Weightmans, said: "Don't be afraid of building the experience of the current workforce and newcomers alike. Where are the experts of the future? And, how do we train them? It can't just be 'computer says no'.

"We are seeing loads of technology coming out and approaches we can use to take away the drudge work for lawyers. It doesn't have to be perfect, it just has to be better than what we are doing now."

On the shores of change

In a choice of streams, delegates could join a fireside chat about nearshoring and offshoring, with insight from Mike Polson, co-head of innovation at Ashurst, and Darren Mitchell, deputy global chief operating officer at Hogan Lovells, facilitated by Briefing's Richard Brent.



The two speakers had very different experiences in this area – it just goes to show that what works for one firm may not work for another and how important communication and good leadership is for directing change.

Mitchell at Hogan Lovells said his firm ran a “seed and grow” change instead of a “big bang.” “We had a journey for people to go on to get used to moving and letting people go – a lift and shift of existing roles.

“You don’t want to tilt the balance – we can’t open somewhere where we would struggle to get up and running. And you have to test the market for skills.”

On the other hand, Polson at Ashurst said his firm went for a big bang – not exactly all the change all at once, but at least pain that lasted for less time.

Polson and Mitchell, therefore, also had different tactics for incentivising a strategic move – Polson recommended removing as many barriers, structurally and culturally, as possible before “snowballing.”

Mitchell at Hogan Lovells said for his firm it was a combination of carrot and stick. It’s important to have the firm think of the resource as part of the London team, and if your team doesn’t use them, give them a gentle smack.

“Get people in the mindset – you can’t just tap them on the shoulder with this sort of change,” said Mitchell.

Creating the right culture within the firm for the time when that culture will be extended into new and uncertain areas is a big step, and people

need to have the support when needed.

What advice?

After lunch, delegates heard from general counsel from Canon Europe, Johnson Controls (Tyco), Carillion, BT Group, and National Grid. And across the panel the biggest themes were to give straightforward legal advice and to be upfront and practical about fee arrangements.

“Just tell me the advice, I don’t need reports. What is the actual legal advice?” said David Symonds, vice president and regional general counsel EMEA at Tyco (part of Johnson Controls).

Collaboration and communication are key in delivering good, pure and straightforward legal advice at the cost that was scoped. Richard Keenan, chief counsel, major transactions team at BT Group, said: “Firms need to sharpen their pencils – they need to have fixed rate outcomes with good caps, not billable hours. And it needs to be a collaborative effort – the dialogue at the start needs to help us with the process of receiving their legal services.”

“Experimentation is not a word often heard in law firms – you need to take the expert hat off and become a beginner again to develop new skills.”

Abigail Hunt, consultant, facilitator and coach, Treehouse Innovation and Møller PSF Group



ABOVE FROM LEFT Jochen Leidner, director, research, Thomson Reuters with delegate; Richard Brent, editor, Briefing; Mike Polson, co-head of innovation, Ashurst; Darren Mitchell, deputy global chief operating officer, Hogan Lovells; Michelle Pattinson, senior director, occupier advisory at CBRE; Carol Stubbings, joint global leader, people and organisation, PwC; Andy Easton, associate director, Opinium Research

Mo Ajaz, group head of legal operational excellence at National Grid, said: “Move away from calls with feedback and do facilitated meetings. When we set up our tender, collaboration is a key part of our initiative.”

Richard Tapp, company secretary and director of legal services at Carillion, added: “Is work being done at three in the morning because it needs to be done or because it hasn’t been scoped or managed effectively?”

Ajaz said that collaboration is also important between the firms on a panel, not just between his company and the law firm. His company did a technology audit of its law firms and split initiatives across the panel and created KPIs against them for each firm.

“We want to know where we can drive efficiencies. This changes the way we give work out based on technology efficiencies,” he said.

Get thinking

In the afternoon, delegates split up into interactive sessions to learn about the use of COOs and different corporate C-suite models, ‘design thinking’, and finding a way to create harmony

between millennials and baby boomers in the workplace.

Joanna Lorimer, director of administration at Hunton & Williams, discussed how different people have different needs and handling an ever-increasing rate of change.

She pointed out that the issue of generational difference is more acute in accountancy firms and law firms due to the way people move up the career ladder.

“Business models are being challenged by the millennials through flexible working and other workplace proposals. They want feedback on their performance, want to see the benefits and feel comfortable in the working environment.”

From Treehouse Innovation and Møller PSF Group, consultant, facilitator and coach Abigail Hunt suggested ways to use ‘design thinking’ to get more creative in all walks of management, and get change in progress in the business.

“Experimentation is not a word often heard in law firms – you need to take the expert hat off and become a beginner again to develop new skills,” said Hunt.

“Tap into the knowledge of your stakeholders and bring in external expertise. Everyone is looking outside legal for the innovation, but the early adopters are the ones who utilise both internal and external knowledge.”

So, at the end of the day, leaders need to be calm through changing times, respectful of the new workforce, available to new ideas, and patient for approval. The only thing standing in way of change is the law firms themselves. ▀



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Tomorrow's talent, today

Wendy Hirsh, principal associate at the Institute for Employment Studies, on building a future-proofed talent base


BEST PRACTICE

Tomorrow's talent, today

What mix of skills will the law firm of 2020 need compared to today? A common enough question, sure, but if you want the right talent tomorrow, you need to start here and now, says Professor Wendy Hirsh, principal associate at the Institute for Employment Studies

It's obvious that any sensible business is going to think about the people it will need to deliver its future business. That's only the same as you would do with business strategy itself – and also with facilities, computer systems, and all the other things your operation needs to adapt and invest in over time. But many organisations get in a muddle over how to approach workforce planning, succession and talent management. Many large organisations have tried to implement quite complex procedures – for example in succession planning or so-called 'high-potential' development – before anyone has even agreed what the challenges are.

And smaller organisations can be even more vulnerable if they don't consider their changing workforce needs and how to address them, often putting questions off until it's too late.

But where exactly should we start when planning for the future?

Look around you

First, identify those workforce issues that are already present to focus your attention. Future workforce problems are often apparent long before we hit a real staffing crisis, and this is especially true with changing skills needs. For example, IT in the workplace is hardly new, but it took many organisations at least 20 years to get around to equipping the older workforce to use computers with confidence. Issues of workforce mix can creep up on you, too – for example, changes in how technology is used in routine work gives you important choices over how you approach resourcing both junior professional roles and office support.

So some of these workforce planning issues will already be quite apparent if you simply take the time to look – while other challenges may already be on the way as a consequence of business changes that you're already planning, or the shape of your current workforce.

Simple issue-based workforce planning can be woven into normal management discussions. In a small organisation, you can do it simply as part of top team meetings. In a large organisation, like a top 100 law firm, the same fundamental questions apply, but they need to be addressed at a range of levels in the business.

Managers need to identify possible future successors – having talked to individuals about their career aspirations – and then purposefully develop them over a period of time.

These discussions could take place in each major office or geographical area, or in each main business stream, not forgetting to include corporate service functions.

Let issues guide your actions

Once you've identified a small number of workforce changes to prioritise, the nature of the concern and supporting evidence can often guide your responses. However, sometimes we don't know quite enough. Some simple internal investigation can give us a clearer picture.

Succession planning is a good example of this. We may see some specific roles, or groups of similar jobs, where a lack of obvious internal or external supply of people puts the business at serious risk. Some of these roles are likely to be senior specialists or business leaders, but some may also be operationally critical roles lower down. Succession planning is really not a mysterious process, and can be much simpler than businesses expect. Managers

need to identify possible future successors – having talked to individuals about their career aspirations – and then purposefully develop them over a period of time to become credible candidates. Most often this takes the form of planned developmental work assignments, but it could also mean job moves, to acquire the necessary skills, knowledge and experience. Talent development is mostly not about sending people on courses.

Of course, it's very important that any form of succession or talent management isn't just about managers giving attention to their 'favourites'. The three principal ways of guarding against this are:

- Having clear criteria for identifying potential for certain kinds of roles.
- Seeking evidence to justify judgements based on those criteria.
- Having collective management responsibility for succession and talent management, so the views of individual managers are challenged by their peers.

On the other hand, talent management sometimes involves filling a skills gap in a whole workforce group – for example, increasing IT skills for all professionals and managers in the firm. Such needs can then feed into your normal employee development plans. Again, ensure that you don't automatically jump to the assumption that development is

Ensure that you don't automatically jump to the assumption that development is always about formal training courses. More experiential forms of learning often have higher impact.



always about formal training courses. More experiential forms of learning often have higher impact.

Some talent management issues are also about the longer-term pipeline of people for the organisation. This can mean addressing recruitment and early career development processes. Are you initially bringing in people with the kinds of attitudes and aptitudes, as well as the right qualifications? Do you make the most of work placements and interactions with schools, colleges and universities to help spot people who would meet future needs and also give them a good chance to see whether they might like working for you?

Finally, thread diversity and inclusion through all your talent management actions: recruitment, development, promotion, succession and deployment. Every time you're looking at a population – whether a shortlist for a vacancy or people for a particular promotion – look carefully at all the kinds of people in that

group. Challenge the process if it's doing nothing to help you toward business diversity goals.

Develop a talent development mindset

Of course, effective managers are always 'on the lookout' for staff that have aptitudes and interests the business could be using more effectively. The critical thing is to do something about that potential in timely manner, not wait until the person feels neglected and starts to hunt around for another employer. But managers can be supported in paying attention to talent – by, for example, using regular talent review meetings and training all managers in coaching skills.

But you also need be tough about who you appoint into managerial roles – and only go for those who really will develop the people who work for them. This also applies to senior subject specialists, who are the mentors, coaches and role models for the next generation. Prima donnas are out. Talent developers are in. ▴

Planning for your future succession?

Ask the following questions:

- 1 Where do we have jobs that are persistently difficult to fill by recruitment? Would we do better to grow some of these skills from within?
- 2 Are we over-staffed in some areas and under-staffed in others? Could we redeploy some people, or design work more imaginatively to give us more flexibility?
- 3 Where are we performing worse than we should because some groups of staff don't have the skills we need? What skills, knowledge or experience are these people lacking? Could we help them to develop those skills? Tip – if you find it hard to discuss 'skills' overall, try breaking this down into technical or job-specific skills; management and leadership skills; and generic skills (such as customer service, communication, teamwork).
- 4 Were there important business developments or improvements we said we'd tackle last year, but we didn't progress because we didn't have the people who could do it? How do we address these capability gaps and avoid this happening again next year?
- 5 Do our current workforce demographics highlight any specific problems (for example, with succession to replace retirements in senior roles; a worsening deficit of experienced professionals; or inability to retain the best administrative staff)?
- 6 Do our future business plans mean we'll need more or fewer people and/or different skills? Tip – if considering a business change, think about your main workforce groups. For example: senior leaders, key professionals (perhaps in three categories – early career, experienced, top specialists), corporate functions (finance, marketing, IT) and administrative and support staff. Also, remember to consider staff you employ on a contract or agency basis, as well as permanent employees.
- 7 Do we have the right people, just perhaps not in the right locations, or enough in some types of job, to cover peak workloads? Do we need to reconsider where and when some people work?

For more, visit the IES Essentials guide: www.employment-studies.co.uk/resource/effective-talent-and-succession-management



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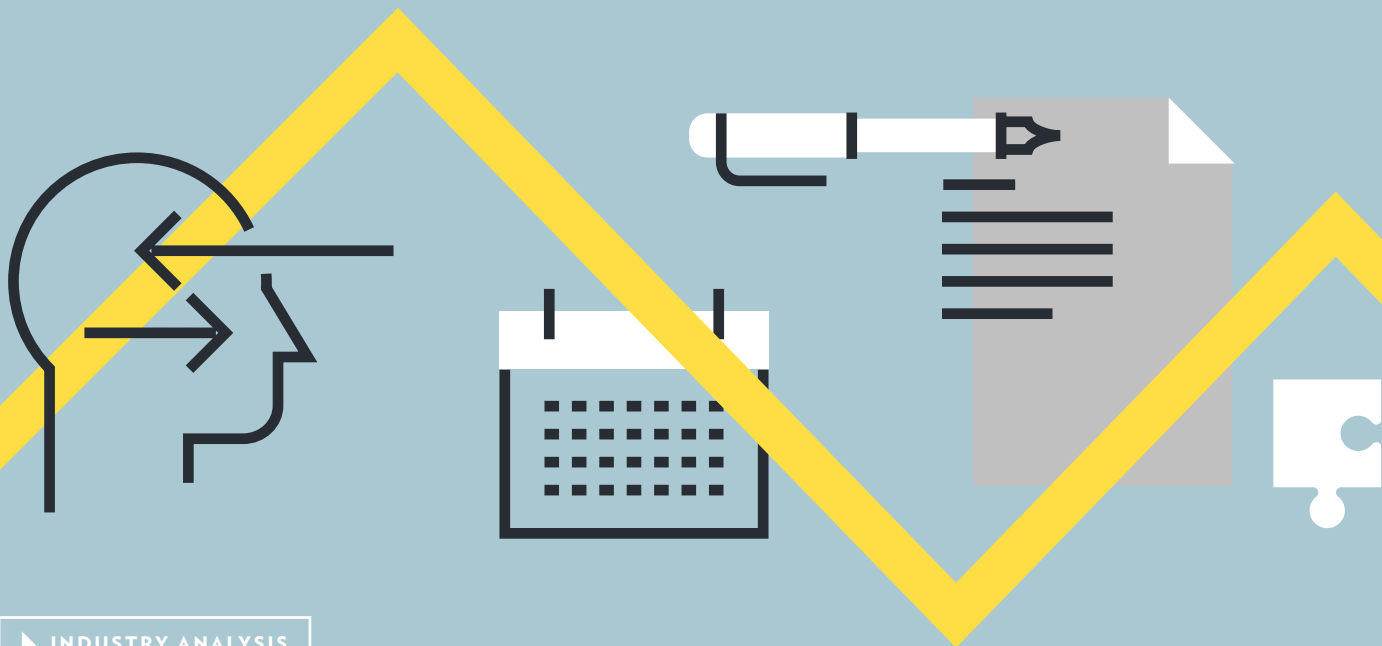
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INDUSTRY ANALYSIS

Adjust your aims

Dan Bodnar, director of product management, and Rob Gitell, senior director of sales for Thomson Reuters Legal Tracker, recommend counting your fully loaded cost to run as a profit centre

For many general counsel, technological solutions have become the bedrock on which high-performing legal departments are being built. From contract automation to time and matter management, new software solutions are enabling legal departments to run their operations more efficiently, freeing up time and resources and drastically reducing costs.

The same is true for private practice law firms, which rely on a similar range of technologies to help them run optimally. As the global legal services landscape continues to evolve, the efficiency imperative has become increasingly acute for firms now facing new market pressures that are driving changes across the industry. Against the backdrop of new market entrants, escalating customer demands and increasingly constrained budgets, firms are being forced to continually re-examine their business practices and explore how legal technology can further

strengthen their competitive positions.

Profit central

But in spite of facing these same financial pressures, there is a major point of difference between a private practice firm and a legal department run by a GC – law firms operate as profit-making businesses, while legal departments operate as just one component of a wider business, sitting alongside other functions and supporting them accordingly. This difference may seem obvious, but the impact is crucial as it affects the way in which legal departments are viewed within their respective organisations and how they function within the wider whole.

For the GC who wants to operate smarter, it would be wise to align their departmental objectives with overall business goals. This could go a long way toward establishing the department as a legitimate business force that is seen as profit-making rather than simply a cost centre.



This drive for greater alignment with overall business goals is underlined by a parallel move toward increasing efficiency. The Thomson Reuters 2016 Legal department in-sourcing and efficiency report: The keys to a more effective legal department bears out this fact. The report found that 40% of corporate legal departments say the biggest benefit of increased efficiency is being able to focus more on strategic work. It also indicates that many companies are increasingly seeking legal department operations (LDO) professionals to help them with what's being seen as overburdening administrative work.

And the study also showed a corporate legal environment that is acclimatising to radical changes, such as increased headcount and an increase in work being done in-house. Much of this change has been coming down the track since the financial crisis of 2008. In-house legal departments are now adapting to new technologies and outsourcing the more mundane legal work in order to significantly free up in-house counsel to focus on work that will benefit the business on a more strategic level. Indeed, more and more organisations are hiring LDO

Like other business-critical departments, the legal function also needs to be fully accountable for output. This can only be properly achieved with an ability to track and measure the key contributions.

professionals in response to a backlash against the time-consuming administrative work facing corporate legal departments – much of it the operational activities that come with running a legal department.

Measuring up

Like other business-critical departments, the legal function also needs to be fully accountable for output. This can only be properly achieved with an ability to track and measure the key contributions of the department. This isn't just a case of showing your face at a board meeting, presenting a list of ongoing litigations and thinking that's a job well done. On the contrary, any reporting back to a board needs to be based on real data insights that can be used to benchmark peer groups and



leveraging of corporate analytics to drive department efficiencies. This is far more in step with how other departments conduct themselves. Greater use of data will also go a long way to predicting legal costs, allowing for greater budgetary control and management of internal and external legal spend.

Such a metrics-based approach also goes hand in hand with a general shift to the cloud, as legal departments look to lower system costs even further. This large-scale move toward cloud computing is par for the course in what is a major sea change in the legal market, as there is a move from business processes operated in-house or by a managed services provider to digital services. Everything from human resource management to database applications can now be run off-premises by cloud service providers, while still preserving a high level of security. In-house legal departments will become more streamlined and far leaner.

And this too will impact on the financial performance of the department in relation to the rest of the wider organisation – making GCs lives much easier when it comes to reporting cost-benefit metrics.

Figure it out

One way that legal departments can view cost is how external and internal spending relates to overall company revenue. This kind of figure tends to be overlooked by legal departments, but it can add huge benefits when it comes to measur-

One way that legal departments can view cost is how external and internal spending relates to overall company revenue. This kind of figure tends to be overlooked by legal departments.

ing efficiency. The easy part of the calculation is overall company revenue and outside legal spend. The slightly more difficult part is calculating internal spend, or the full cost of each employee in the legal department.

In general, there is an assumption that an employee's salary, plus one third of that salary, equals that employee's 'fully loaded' cost. For example, a company with revenue of \$500m, \$4m in legal spend and four lawyers, with a fully loaded cost of \$200,000 a piece, coupled with a paralegal and assistant with a fully loaded cost of \$100,000 a piece (totalling \$1m), gives \$5m in legal costs. If this is divided by the total revenue, it's equal to 1% of total revenue being spent.

This kind of calculation is the most accurate way to measure legal cost, especially when juxtaposed with simply measuring outside counsel spend.

Think of it this way – what would happen if a GC was to shrink the legal department by two lawyers, but increase legal spend by \$300,000? If outside counsel spend is the only thing being tracked, it would look like the legal spend has gone up for the year. But if the fully loaded costs of



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www.legalsolutions.thomsonreuters.com/law-products/solutions/legal-tracker

the attorneys (\$200,000 a piece, or \$400,000 total) is considered, there is a real saving of \$100,000. So, it's advisable that GCs take and report on a more holistic view of spend to give the most accurate representation of the figures.

Refresh thinking

However, there's still a fairly steep maturation curve and learning process when it comes to innovation and change in the legal department that prevents a wholesale shift in thinking.

What is needed to further facilitate it is a move toward a more procurement-based mentality. Such a shift will rely heavily on other LDOs undertaking non-legal functions. Their activities could include anything from reporting to business process simplification. The breadth of such functions will also necessitate having the right mix of skills married with the right technology.

Also, it's important to consider that technology itself isn't synonymous with innovation. The act of simply installing a cloud system won't turn a legal department into the next big thing in the technology world. Therefore, what is needed is a better understanding of wider business issues and the points where technology and the wider business aims converge. Comprehending how that can be better understood and developed will, in turn, allow legal departments to choose the right solution and avoid tokenism – where innovation with no real output becomes the only stated goal.

It's also foreseeable that in-house legal departments will continue to increase their

We will gradually see software begin to replace tasks performed by people – and this will, in turn, free up the time of the GCs and their teams to do more actual legal work, effectively reducing their costs.

technological armoury as we move further into 2017 and beyond.

The volume of data that will be at departments' fingertips will all need to be harvested and analysed. This proliferation will necessitate a much stronger pipeline of advanced technology to cope with the supply. Advanced artificial intelligence and other robotically processed automation would certainly be applicable in this area. We will gradually see software begin to replace tasks performed by people – and this will, in turn, free up the time of the GCs and their teams to do more actual legal work, effectively reducing their costs.

Of course, there are many existing tools out there in the market that will help legal departments run themselves more like profit-generating businesses. This breadth of choice offers untold opportunities for the legal department that can embrace them. Unlocking them may remain a matter of a perspective shift and a commitment to innovation, but it also needs the right mix of people and some clearly determined goals in order to meet with success. ▴

INDUSTRY INTERVIEW

Value chain reaction

Merlin Knott at SAP UKI and David Milburn at itelligence Business Solutions UK say law firms must sharpen their appreciation of how analytics can improve the whole business value chain to drive improvement in profitability

Traditional responses to business analytics in law firms have tended to provide isolated silos of capabilities that don't fully enable end-to-end business improvements. E-discovery often remains isolated, predictive analytics is implemented in functional silos, and traditional focus at firms still centres on basic reporting and data warehousing.

However, dramatic changes occurring in the sector mean firms are faced with a nexus of forces, which impose big stresses on a business. Traditional data warehouses and reporting cannot adequately address these, and may be causing firms to be left behind.

One of the surest signs that law firms are indeed under increasing competitive pressure is the rise of the pricing team, which provides commercial guidance to those leading client relationships.

It's something that **Briefing** has made a point of tracking in detail in recent years – and whether you

have a fully resourced function or not, if anything was clear, it's that pricing success depends on the transparency of reliable and timely data, as well as the ability to analyse that data to drive greater understanding across the firm about how to price more appropriately.

Merlin Knott, vice president for analytics, northern Europe, at SAP, says: "Especially after the financial crisis, most companies in the world are looking for new efficiencies. A typical first port of call is to squeeze your service providers – such as reducing marketing spend."

In the case of an in-house legal team, this tendency to outsource less has – of course – meant offering less work to fewer law firms.

"In a more competitive market, being under pressures such as service unbundling by in-house legal teams, firms need to be that much clearer about which customers are really driving profitability," Knott says.

“And as that firm grows – along with its customer base – it increasingly needs to use analytics to access the data that will identify exactly where it’s making or losing money. A lot of overhead allocated to the wrong customers can become very unprofitable, very quickly.”

Is the customer always right?

So, the basic promise of the sector analytics solutions developed using SAP technologies is to correct assumptions about which clients and matters really are profitable enough in this business climate – and then to ensure the management of the factors that feed into pricing decisions improves in future.

“It isn’t just about reporting on past events, but also being able to identify predictor variables easily as these can impact profitability,” says David Milburn, business development manager for big data and analytics at itelligence Business Solutions UK. Clearly, this has the potential to get more complicated as firms globalise on the one hand, and (again, for efficiency) disaggregate aspects of services on the other. Whether merging to take advantage of business opportunities in new jurisdictions, or offshoring into lower-cost ones, management of data presents a greater challenge as you’re growing and changing.

The pressure doesn’t stop there. Milburn adds: “As well as market competitiveness, there’s increasing internal pressure from partners and fee earners for better insight into the profitability of their individual practices.”

Meanwhile, clients also want access to more robust and detailed information in a timelier manner, about work in progress for them. “A host of challenges come together to deliver a proper data and analytics solution that is much more compelling as an investment proposition.”

Ultimately, of course, both firm and client have

“As well as market competitiveness, there’s increasing internal pressure from partners and fee earners for better insight into the profitability of their individual practices.”

David Milburn, business development manager for big data and analytics, itelligence Business Solutions UK

an interest in better understanding the factors that make up a final price, alternative fee arrangement (AFA) or otherwise. Clients want that price to represent good value – while firms may want the same, but also need profit. Analytics not only helps both sides to understand the history of behaviours and outcomes that have affected prices past, but also to appreciate which variables impact on pricing, enabling both parties to reach something that is at least more predictable.

“If we’ve already done a type of matter many times, can we explore the size of case and the pricing to learn from these past cases?” says Milburn.

“Analytics provides accurate facts, figures and predictive variables to feed into the next case that comes along of a given type.” As with not taking on a new client, analysing the chances of winning from experience could even lead to declining a case, thereby avoiding an unprofitable situation in the future.

Keeping it real time

Knott continues: “SAP provides a platform for

Above (left to right): Merlin Knott, vice president for analytics, northern Europe, SAP, and David Milburn, business development manager for big data and analytics, itelligence Business Solutions UK



Profitable partners

Intelligence is one of SAP's leading analytics partners – and the go-to analytics partner for legal. David Milburn works closely with the SAP product team to understand the way the business is innovating.

SAP's Merlin Knott says: "It's important to find the right technical and business partners to implement technology. We can't reach every customer that needs the technology ourselves, but it isn't just a matter of helping us with that. We need specialist partners in segments like legal."

Among other things, partners can perhaps help to correct one of the "biggest misconceptions" about SAP, Knott says – that it is an enterprise resource planning (ERP) business. It's not.

"We provide advanced analytics technologies in many fields, even sports analytics, and 80% of our customer base are SMEs. But with our offerings, and cloud in particular, we can support everyone from the smallest local firms to the largest global multinationals."

Milburn concludes: "Improving the legal value chain isn't about BI and data warehousing. It's about application of data and analytics in an agile and integrated way to all parts of the business. Modern data and analytics must be embedded into back-office functions, and support CRM, knowledge management, thought leadership and mid-office functions.

"To do this you need a modern data and analytics platform that enables not just reporting and business intelligence, but also things such as customer strategy using segmentation and treatments, for example premium services for profitable customers."

real-time insight into business operations – which means you can analyse all the information points you have – all the time, and quickly."

That makes for improved long-term decisions as well as more timely immediate one.

"Historically, organisations have had silos of data, so they either had to exclude certain pieces of information from a view or perform analysis at a higher or lower level of granularity – typically a data warehouse.

"But that adds assumptions about results. As an example, customer revenue figures could exclude debtor days and the collection process from the final cost of servicing that customer."

By contrast, he says, SAP's technology provides a 'point in time' profitability measure for each customer, which considers each and every aspect of cost.

"It enables, for example, firms to distinguish between the customers that need 'premium' service, the customers that could be influenced to become more profitable by changing engagement models, and even those that can be released because they cost more to service than they make. In short, it can drive customer strategy."

Milburn adds: "Obviously, challenges such as these grow as you try to scale as an organisation. If there's a business that's five legal entities, there's that much more happening. Few organisations are equipped to support that level of activity, both in terms of managing the complete analytical lifecycle, and unearthing extra value."

For more information about the itelligence annual conference, visit: www.itel.li/conf

“You could have a situation where you need to work on one specific case, in a specific location, for a specific period of time. You also need the right structure for delivering on your information needs during that time.”

Merlin Knott, vice president for analytics, northern Europe, SAP

Table talk

However, there's more to managing a legal business than making sure your customers are profitable.

At a recent roundtable, SAP and itelligence discussed how firms such as DLA Piper, Herbert Smith Freehills and Linklaters are using SAP to help with other data management challenges. Even firms with support and resources on this scale are alert to the need for rigorous regulatory compliance and appropriate risk management as they navigate clients' changing demands.

“We discussed the way compliance with the EU's General Data Protection Regulation would affect management of customer records – as well as the demands of hosting client portals,” says Milburn. “Clients increasingly want a tailored report to show billings across several different regions, and that requires more agile responses

Meet more of the team

For further information on the SAP Modern Data Platform, contact:



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from IT delivery.

“It's a very time-consuming exercise to pull that data together, and very possibly an inefficient one. However, you could provide premium services to clients enabling their own access to self-service reporting.” SAP has already introduced this option for businesses in several other industries, he says.

Knott adds: “Whether big or brand new, firms also need to be operationally agile.” For example, some global firms have launched ‘pop up’ centres that may only take temporary advantage of a set of circumstances for more efficient delivery. There's clearly an accompanying data management and analytical effort in establishing this set up.

“You could have a situation where you need to work on one specific case, in a specific location, for a specific period of time. You also need the right structure for delivering on your information needs during that time,” says Knott.

SAP has invested in cloud-based analytics to support an exercise like this. “It integrates with our existing technologies, but also gives customers a new level of flexibility,” says Knott. And like everything else, that leads to a greater chance of the final price being right and the firm being more profitable as a result.

The itelligence annual conference takes place in London on 25 May 2017, covering legal industry analytics across the board, as well as the wider SAP portfolio. It's the biggest partner-led SAP event in the UK. Registration is free. ▴



INDUSTRY ANALYSIS

Track to the future

Katrina Kostic Samen, managing partner of KKS, considers transformational changes impacting the physical world of legal business, and examines what the future may bring

How can an operational necessity like office space be turned into a competitive platform for law firms? There are many factors that need addressing to help firms thrive in a 'more for less' world that they've been forced to adapt to, including collaboration, mobility and efficiency. In future, collaboration with third parties, who can deliver aspects of client service at the right quality level, and more efficiently, will be commonplace. Technology will support these developing relationships, ultimately providing greater flexibility and cost reduction.

Firms are also, at last, looking at new ways of planning their offices. They want to maximise light penetration, open up areas to foster collaboration, and configure work space to support diverse processes. They are also beginning to realise the benefits of new technologies in this area. Hierarchical distribution of space is outmoded – and a new egalitarian approach is underway. The workplace is also critical to the organisation's bottom line, considering that it can not only save money, but enhances productivity, collaboration, efficiency, recruitment and retention.



KKS is a specialist in legal strategic workplace design. It's aware each firm has a particular culture, and understanding how it works is at the core of our strategic thinking. Space must be a facilitator, not a restraint, for the business of law. Here are five business scenarios that we know firms will need to address alongside market factors of competition, globalisation, cost reduction and client focus.

Expansion

Growth accommodated within existing premises is a reality for firms that may not wish to shoulder the financial burden of relocation. But this will result in cultural and organisational change, as growth in situ will likely result in a redistribution of area per fee earner – perhaps through higher occupancy of offices or moving to an open environment for

FIVE DRIVERS FOR CHANGE

- **Expansion** - Learn to use space more flexibly and effectively
- **Globalisation** - Design for integration and cultural change
- **Lease** - Pilot new ways of working and IT solutions
- **Relocation** - Create a strategic brief, key business drivers and engagement
- **Downsizing** - Release usable and attractive areas for sublet space to market

For more information, visit:
www.kks-space.com

certain groups, alongside integrating agile or home-working strategies. It's important to provide quiet and collaborative spaces that support higher densities, and technology is critical to agility. Benefits of new working practices include greater accessibility of peers, increased integration and communication, and providing people with more choice of where and how to work.

Globalisation

Inevitably, there will be mergers and acquisitions, with rapid change required to meet business strategies for global or regional growth, new markets and sector expansion, in addition to financial pressures. Typically the primary emphasis is on operational aspects of the business. Less attention is given to people and culture, which are two key factors that will affect success or failure. The workplace is a significant enabler when it comes to supporting team integration and establishing new relationships and collective culture, while real-time technology supports the unification of practice areas.

Leases

Firms may face lease break dates that don't service their business requirements, leaving them seeking short-term solutions prior to relocation. Careful consideration is needed to minimise disruption. There are a number of viable options, underpinned by pilot programmes, including increased occupancy of offices, creating shared rooms, fee earner studio layouts, desk sharing (supported by effective home-working strategies), relocation/reduction of business services groups, and removal/remodelling of legacy facilities. Pre- and post-occupancy evaluations allow the firm to review and make adjustments before rolling out across the organisation. New technology can also be introduced to speed up the change process.

Relocation

A more conventional consideration is preparing the organisation to move and ensuring smart building selection when it does. It's essential to take the time to clearly identify the occupier requirements and to align this with the business strategy and vision. Understanding current trends in legal sector design is also important, and should be considered alongside the firm's future profile in order to embed flexibility and future-proof where possible. As with the other options, new ways of working, new technology, pilot trials and staff engagement will be critical to project success.

Downsizing

Finally, global diversification of services may result in the London or head office footprint reducing to support growth in other sectors or locations. The result will be both cultural and organisational change, as the firm consolidates. This will offer an opportunity to refresh existing spaces, rebrand, meet new requirements and generate revenue through subletting. It will, however, present challenges, as implementing new practices must be driven with change management and employee engagement.

Workplace innovation will provide the means to address increased client demand, intensified competition, globalisation and efficiency. Firms will have to innovate to differentiate themselves from competition, and technology will be a key driver of progress. Collaboration is also critical, as third-party relationships become increasingly commonplace to meet industry demand. ▀

KKS clients: Allen & Overy, Baker McKenzie, Clifford Chance, CMS, Kingsley Napley and Norton Rose Fulbright



INDUSTRY INTERVIEW

Task masters

Stuart Barr, chief strategy officer at HighQ, says law firm collaboration isn't what it used to be. If you're smart, it can revolutionise your whole approach to client service

Law firms know that the way they collaborate with their clients – from the quality of conversations, knowledge and information shared to transparency in process and pricing – is one of the best routes to sharpening competitive edge.

But one thing they may not know is that they can create many new collaborative opportunities using technology they already have in place.

Stuart Barr, chief strategy officer at HighQ, says: “Collaboration platforms used to be file dumping grounds that few people used. Today, however, they can easily be very dynamic places where real conversation happens, projects are properly managed, and processes are continually improved.” Half of the largest firms in the world are already using HighQ, he says. Its vision of the future ‘smart’ law firm is one that fully realises this investment potential – creating “a centralised hub, on which

the entire client experience hinges.”

Above all, the rationale for this is that clients increasingly want to know exactly how their work’s taking place, who’s involved and, clearly, how much it’s going to cost.

“There’s an increasing expectation that a firm should demonstrate how it uses technology to deliver projects more efficiently in a pitch. That could include allowing the client to log in to a secure area to view progress on a particular transaction in real time,” says Barr. They may also be able to view useful financial data such as invoicing details, and even affect the firm’s completion of tasks directly.

“It’s not just a matter of cost,” he stresses. “The time it takes to deliver some results for a client could also be critical. Demonstration of efficiency is a mixture of time and money.”

After all, a solution such as HighQ Collaborate

For more information, visit:
www.highq.com

can also enable in-house legal teams to consolidate the way they instruct and manage their panels of firms through a portal – a clear saving in administrative effort.

Artificial flavour

Another way collaboration platforms might offer efficiency gains is when integrated with artificial intelligence solutions to apply more automated process. HighQ is developing its own in-house AI, as well as integrating with third parties.

“Once manual tasks can now be both online and automated,” says Barr. “That might be managing insight into different jurisdictions on an M&A transaction, or actual analysis of the data in documents to find clause patterns and extract key provisions or apply security policies. Collaboration, project management and process optimisation are parts of a common challenge to communicate and manage work more predictably.”

On the project management front, the latest version of HighQ Collaborate includes Kanban-style visual task boards to help drive continuous project improvement and simplify how project tasks are delegated and completed. And in a release later this year, Barr will also be adding data visualisation with customisable dashboards that display financial and task data for optimum transparency into the specific matter.

Some efficiency improvements are simpler. “The latest release also includes integration with DocuSign, Adobe Sign or any e-signature solution through our API. Documents can be sent off for signing, and return automatically as a new version,” he says. Ultimately, however, “it’s about guiding people through that complete end-to-end process through a repeatable, predictable and

connected series of steps.”

Culture counts

Two predictable business priorities when it comes to most of today’s technologies are an experience that meets people’s need to be fully mobile, but with the appropriate security to manage that increased agility as a risk factor.

“The smartphone revolution has transformed people’s expectations of technology – it has to be frictionless – but it’s really important to have enterprise-grade security behind the scenes as well,” says Barr.

HighQ’s private cloud hosting model is a key differentiator in that respect, he says. But it’s just as important that firms combine tackling IT implementation with a more holistic change management programme.

“There can be real cultural inertia at some of these firms. The leaders have grown accustomed to being successful their way – but by 2020, 50% of your employees will be millennials. They want access to different tools to communicate with clients – and bear in mind the same will be true at your client.

“That’s why a transformation strategy is just as important as the technology that’s chosen.”

Cost pressure, combined with more millennials in the workforce, has also led to an increase in agile, remote working – which means more virtual teams to connect through technologies such as HighQ, says Barr.

“It’s much harder to expose that ‘work anywhere’ environment with a more traditional collaboration tool. Hosted in a secure, private cloud, however, sophisticated mobile apps can glue a more dispersed organisation together. People can be productive wherever they are, but still feel connected to the wider team.”

Once aligned internally, transformation strategy can then really focus on exploiting the changing external collaboration opportunities that can drive a firm’s revenue. With ‘chatbot’ style conversational interfaces, and increasingly sophisticated self-service and subscription-access models just over the horizon, the collaboration puzzle is far from complete. ▀

“There can be real cultural inertia at some of these firms. The leaders have grown accustomed to being successful their way – but by 2020, 50% of your employees will be millennials.”

OUT OF OFFICE

What's the buzz?

Elliot Moss, director of business development at Mishcon de Reya, says his work life is a hive of extra activity that also allows him to be himself – which is good for the working environment as well



My personal philosophy is echoed by something Tim Delaney, chair and founder of Leagas Delaney (where I was managing director), once told me. He said: “Elliot, load up your life.” So I’ve got a lot on my plate, but I’ve chosen for it to be that way.

Bee London is a business improvement district (BID), and it comes from the US ‘Bids’ idea of breaking up a city into smaller areas. I wanted to have a positive and direct impact – and felt like I could do that with Bee London. So, in 2015 I took the role as chair. I gave up my position as the deputy chair and board member of the London Chamber of Commerce and Industry to do it.

I like to be involved and am quite a hands-on kind of guy. If I give my name to something I want to do things; I don’t feel very good if I don’t.

My role with Bee London is to drive more investment into the midtown area (Holborn, St Giles and Bloomsbury). More people coming to locate their offices here can improve the local environment and helps to make it the new centre of London. Mishcon de Reya is one of the biggest companies in the BID and has always been interested in making a difference to the local community and supporting the environment.

Bee London introduced the idea of

beekeeping in the area – Olswang may be leaving its home, but its bees will be looked after by the new tenants. A beekeeper consultant ensures all the bees across the different locations in the BID are looked after.

Mishcon de Reya will actually be taking a new batch of bees in June. When we moved office, our bees were relocated to the British Museum. We’ve got a number of people here interested in beekeeping, and we’re excited to have them back.

To be honest, this is the perfect job for me – Mishcon gives me the freedom to be me. And it’s in our DNA. When we say “It’s business. But it’s personal.” in our strap line, we really mean it. The personal aspect of everyone working at the firm is very important.

Hosting the Jazz Shapers radio programme on Jazz FM was the icing on the cake. The Jazz FM opportunity came about because I was looking for partners – business partners,

I love the variety of the people I meet, and I love giving them all a voice. The world is really about new ideas.

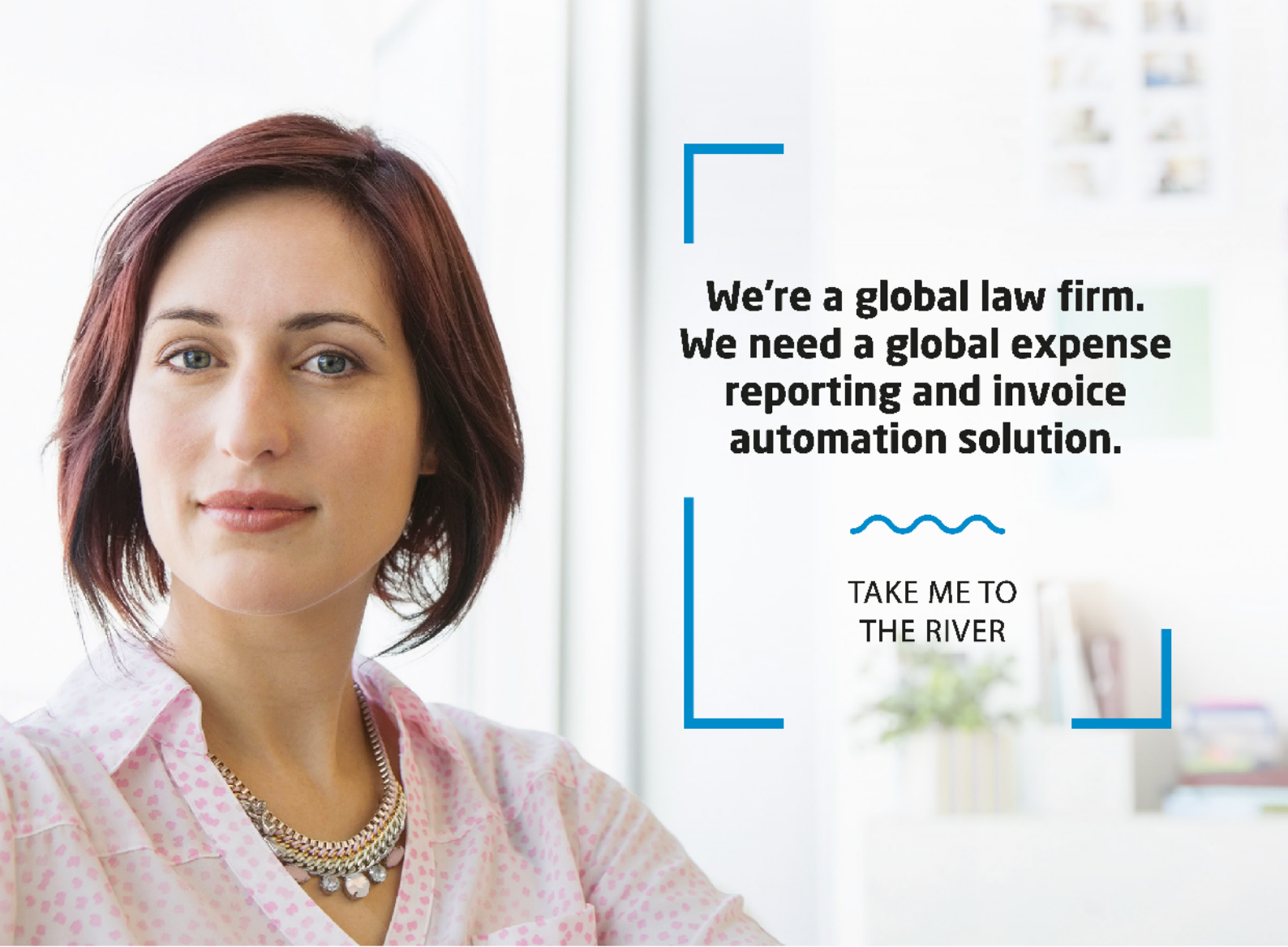
commercial partners and media partners – to help me bring to life that brand message. So we interview founders of businesses and hear their personal stories.

I love the variety of the people I meet, and I love giving them all a voice. The world is really about new ideas. Look at how the web has changed everything – people are talking about the disruptors disrupting themselves. I wanted to get those people in front of me, and about a quarter of those we interview are clients of Mishcon.

My philosophy of marketing is that you have to give people something of value – and it’s often content. But it has to be accessible, simple and honest. Don’t use hyperbole and lots of adjectives, because if you do your clients or prospective clients say they don’t believe you.

I’m lucky because everything I do enables me to express myself. I can explore my interest in classical music by being on the development board of the London Symphony Orchestra, explore what I’m interested in by interviewing people on Jazz FM, and explore my philosophy of the importance of the public sector and business worlds collaborating by being part of Bee London. I wouldn’t have it any other way. ▴

As told to Kayli Olson



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