



I. STRATEGY/TONE FROM THE TOP

Everyone agrees that a strategic imperative for diversity and inclusion, communicated by a clear tone from the top, is fundamental. But words alone won't suffice – it's got to be a culture shift. So should that culture shift be driven from the top down, or from the bottom up?

In many ways, it's ideal to have this driven from the bottom up, with an emphasis on cultural nuances and areas of specific interest. It's a classic cascade approach, and more often than not can be driven by network affinity groups. However, support from the top is still essential. Where the culture is not conducive to change, or progress is stagnant, there will need to be dramatic and symbolic action.

For example, Vodafone has introduced a 'Plus 1' mandate to increase representation of women in leadership by one each year. A goal has become a performance metric – measurable and strategised.

At Barclays, the new CEO has set the tone by his actions. He challenges on diversity of team and has established a directive to increase the female representation among the leadership. If he cannot find a woman to fill a new position, he digs deep, even dropping down two or three rungs of the ladder to identify talent. And if the talent pipeline isn't there, he creates it.

At Paul Hastings, the compensation committee is now 50% diverse. Diverse decision-makers can influence the entire culture of the organisation.

In summary – while fluid cultural change is desirable, often a dramatic action instigated by leadership is needed to set the tone and kick-start wider cultural transformation.

II. GLOBALISATION

Globalisation has required international firms to evolve in order to be successful. How can companies take a global perspective on diversity and inclusion?

Managing specific laws and cultural sensitivities while maintaining a global set of corporate values is a balancing act. Most of our panellists spoke of the need for an open mentality – to create a culture where the workplace is a 'safe space', as in Barclays' 'Bring your Whole Self to Work' policy.

But the key is to know your markets: understand what is achievable, and find the right way to get the message to land in each region so that the entire D&I impetus does not get lost.

Sometimes a big picture view can be best. Vodafone recently introduced a global maternity policy, designed to make taking leave and returning to work easier for new mothers. On rolling out the policy, the legal team realised that certain aspects might be construed as discriminatory under certain legislative regimes. The CEO's response was – 'I hear you, but we are doing it anyway.' Sometimes you might need to break the rules.

In summary – cultural sensitivities are important, but consider when you need to break these rules and maintain a global stance on certain issues.

(continued overleaf)





III. INCLUSION

It's not just having a seat at the table, but having the right seat at the table. How do we make sure we progress diverse candidates in a meaningful way?

Our panellists agreed that achieving diversity is not the whole story; we need diversity in the right places. Metrics come into play here, to measure who is being promoted and correct imbalances. The flip side of the coin is to discover where and why diverse candidates are leaving, in order address this in a meaningful way. Metrics provide a vehicle to think outside the box, and asking for them also sends a strong message that 'we are paying attention.'

However, figures are only the start. It is effective to follow them up by gathering individual stories, perhaps to understand why individual candidates become disillusioned or why inclusion is not taking hold.

A lack of role models and visible career paths can be a significant factor if this is the case. Diverse candidates have to see there is a point to their labours, and this means demonstrating that a career trajectory is possible.

It's important to get comfortable with being uncomfortable and deal with the hard questions. Do not accept easy answers: if there isn't a diverse candidate on the slate, ask colleagues or recruiters to try harder.

In summary – metrics are useful in beginning to understand a lack of inclusion, but you have to push beyond the numbers to identify why. Both aspects are essential in effecting change.

'Our clients are counting on us to share their commitment and partner with them in meaningful ways. We must ensure they know we hear this message and are actively working to foster greater diversity and inclusion across our Firm and throughout the legal community. We can't pretend to have all the answers. But firms can partner with clients and organizations more, listen more and be more conscious about inherent bias. As law firms do more they will discover what our clients already understand-that diversity is the fuel for innovation and growth.'

SETH M. ZACHARY, CHAIRMAN, PAUL HASTINGS LLP

'Our discussion and debate showed the dual importance of taking a macro and a micro view of diversity and inclusion. It's essentially a question of culture change, so that a diverse and inclusive workforce is viewed as natural. Many of the points made show that we need a pincer movement of leadership from the top and day-to-day 'water cooler moments' to create, in effect, a new normal.'

CATHERINE McGREGOR, PUBLISHING DIRECTOR, GC MAGAZINE & THE LEGAL 500 IN-HOUSE

