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Are firms really embracing flexible and agile working?

Law firms like to talk about flexible working, but implementing it in practice is the tricky bit...

Aside from Brexit and yet another election, agile and flexible working are two of the most used buzz words of the moment. For most law firms, it?s also something that they want to be seen to be embracing. Some have even gone so far as to set up their new offices to work purely on an agile basis.

Of course, it?s incredibly important to ensure there is a work/life balance for all employees. People understand that it?s okay to have a life outside of work and that employees want to have a career as well. This concept has been instilled within the Big Four and the accountancy sector for a number of years. Indeed, I can remember working from home with a dial-up cable in the late 1990s when I was at PwC.

There are also a number of employers and employees who are clearly embracing the change in law for paternity leave, which is again really encouraging to see. And there are many people in senior level roles who now work four days a week, or one day from home. This can be for a variety of reasons, not just because of family life but also because they are studying or want to volunteer or do something completely unrelated to their career. It?s an enormous step forward in working practices and it makes for happier employees who are more committed and productive. Law firms that embrace flexibility have a distinct advantage when looking to entice talented individuals who may not have worked within the legal sector previously and expect a flexible approach.

But, when it comes to hiring, exactly how agile are firms? And how much are business services teams really allowing or encouraging their own teams to work in an agile or flexible way?

The burden of proof

We are finding more and more candidates looking for some form of flexible or agile working pattern ? often on the same basis that they enjoy in their existing job. But when it comes to securing a new job, the recruiting firm won?t necessarily consider different working patterns in the first instance. It?s an interesting conundrum we face on a daily basis. Great candidate, perfect fit for a particular firm, but it?s a no go on the flexibility they require. Candidates are finding that, no matter how senior or experienced you are, you have to go in and prove yourself before you can apply for either agile or flexible working. Which leads to the question ? if you are hiring someone who has to prove themselves before you would consider a flexible arrangement, then why are you hiring them in the first place?

We hear some fantastic success stories and case studies from our clients around this area when it comes to lawyers/partners. Indeed, law firms are very keen to get this message out as part of their diversity and inclusion practices, which is a great step forward. But we hear less of it from the business services teams, where there appears to be more scepticism about working flexibly. Why is that? Is it because there is still a level of presenteeism that is perceived to be required because they are ?support?, rather than ?fee earners?? Do they need to do more to prove their worth? And who are the gatekeepers in this? The partners or the

business services lead themselves?

Equal opportunities

It seems strange to us that business services staff might be treated differently to other members of the legal community. There seems little purpose to having all business professionals ?on site? and working traditional office hours, if lawyers are increasingly not doing the same and likely have different ?support? requirements anyway. Of course there has to be give and take on both sides depending on work priorities, but isn?t that how flexibility works? Not only that, but a firm-wide approach to flexibility seems to make far better sense than trying apply different work policies to different teams, if only from a non-discriminatory point of view.

The danger is that a piecemeal approach to flexible and agile working will result not only in incoherent management processes, but cultural tension and resentment. This won?t help with attracting or retaining talent. Developing a good employer brand has to go beyond the talk to the implementation of policies that make a real difference to employees right through from recruitment to the exit interview. And the approach has to treat all employees equally and fairly, ensuring the same opportunities for all.

Those firms that are forward thinking and understand this are already making significant headway in standing out from the crowd in the competition for great talent.

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