

## MBC signatories call 17 March 2021

**Attendees** – Richard Martin (RM) and Lisa Swinney at byrne-dean were joined by over 50 participants. In view of the number of those participating we haven't listed all attendees by name.

Representatives from Aldermore, Bristows, Brodies, Rapport Guest Services and Thomson Reuters were welcomed to the MBC signatory group.

### 1. Update from RM on recent MBC activity. In addition to signatories' own activity:

- **International**
  - **US** - the Institute for Wellbeing in Law (created out of the ABA taskforce) have asked for an MBC event as part of their May wellbeing week. Further information will follow, seeking contributions to the event and inviting organisations with US presence to share details there.
  - **Singapore** – their Law Society and a range of other representative bodies have been active, putting together a programme of activity with the Charter at its heart.
- **IBA** – reporting back of their global survey results is underway. RM is a member of the IBA Wellbeing taskforce. The data and academic analysis collected shows an emerging theme that the pressure on mental health and wellbeing (within the legal profession) is shared globally. Of the risk factors identified; people who are lawyers, work lawyers do and the context in which work is done, the context is what people are finding most difficult to manage. The analysis supports what the Charter is about and is testament to how useful and important it can be to address these issues on a global basis. Data will be published within the next couple of months.
- **Clients** - a conversation between RM and Bank of America was mentioned. They are interested in MBC but had commented that it hadn't been raised by the various Charter signatory law firms that they use. They are very interested in it, which suggests that we might be braver in raising the issues with clients and promoting the Charter.

### 2. Updates from signatories:

#### Herbert Smith Freehills – Matt Clements (MC)

Matt works within the D&I team and leads on Charter activity. HSF signed a few months after the initial launch of the Charter. One of the first actions was to develop further internal guidance to clarify their leadership teams' commitments and what they wanted to achieve. Using the Charter as inspiration, to create their 'how we work' guidelines.

They developed a pack of resources for individuals and teams – it was helpful to begin the Charter in HSF language, and express the commitments in a way that made more sense to them. It also allowed them to hook 'how we work' onto other projects happening around agile and flexible working and onto career conversations. They hoped that conversations in those areas would reference the new guidelines, helping to promote it. The pack comprised practical suggestions across a number of areas, with long term remote working added. It gave the background, a vision of what they were trying to achieve and explained how the MBC connected with HSF's approach to mental health and wellbeing. And how it supports high performance through more sustainable ways of working.

They developed a scorecard to help teams identify one or two priorities to work on. The five point scale didn't really work because many decided to respond in the middle as '3's. So they recommend

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adopting a four point scale! They set out to roll the Charter out team by team and allow conversations to spark interest from other people. COVID got in the way of that. They therefore included 'how we work' within other guidance being pushed out centrally eg around leading remote teams or supporting your own wellbeing through the pandemic. It has allowed HSF to introduce the principles globally across the firm. The downside has been difficulty in tracking impact and progress. There is a worry that those guidelines might simply become part of everything that's associated with COVID. They foresee a further opportunity to bring the Charter into conversations as people start to transition back to the office - within team conversations about how to structure work, teams and working days. HSF have used their mental health champions network to promote MBC within teams, part of their training being learning about the guidelines. There is still work to do to implement the Charter and to get it in front of clients.

Question: Have there been any areas of reluctance to accept the principles of the Charter or any other pushback?

MC: HSF carried out a lot of consultation on the new internal guidelines and framed them as practical suggestions rather than hard and fast rules. There has been a tendency for them to be read as black and white, with responses to suggestions being 'is this now a rule that I can't do X? It is helpful to remind people that there is flexibility in adopting these guidelines.

Question: What are the plans in relation to the data collected through the scorecard?

MC: The purpose was to help teams to have a conversation. Prior to lockdown they got them together and printed out scorecards on huge sheets of paper that teams could mark up. To identify one or two areas that the team could focus on, rather than five or six areas at once which felt overwhelming. Seen as a prompt to have a conversation rather than benchmark to revisit.

### **A & O - Global IT function case study - Nitish Upadhyaya (NU)**

Nitish runs the innovation team and is a litigator by background. They have worked on a roadmap over the course of the last six months which aims to embrace creative thinking and be deliberate about each of the different steps that are really important in getting the principles of the Charter embedded within the way the IT team at A&O works. Using the perspectives of IT, senior leadership and the HR team and adding design thinking and behavioural science into how they embed the Charter within the IT function.

They first spent time understanding the Charter, picking apart the elements and thinking about what applied to their culture. They then ran a series of workshops – interactive sessions encouraging IT stakeholders of different seniorities from across the business to answer a simple question in a facilitated session: *"What in your day to day activity causes you anxiety or stress?"* This produced hundreds of little pieces of information. These included problems with agendas, people not understanding whether or not they need to go to a meeting, out of hours emails etc. The information was categorised, some fit the MBC themes, and some didn't. The intention was to understand the root causes, to decide what they could do that would give the most 'bang for their buck.' They didn't want to impose a large set of principles to abide by, especially in the current circumstances, but sought to understand what the issues were that they could focus on that would then address several of the key stressors that were really affecting so the IT team. Agendas are a good example: not setting an agenda results in several more behaviours, opinions or stress factors eg people not knowing if they need to go to a meeting or people not being able to prepare for a meeting correctly.

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They started to identify root causes through data modelling and through the creation of knowledge graphs. The graphs present as webs with each individual opinion or behaviour linking to another. Bigger clusters forming which inform where to focus. Taking that data analysis further they have used data science to craft these behaviours and opinions into a survey using a Likert scale. It was important to make the questions timely. They asked people whether or not they experienced a behaviour or action *in the last month*. Simple statements like, “I have received emails out of hours,” “I have received feedback from colleagues” and “I have given feedback to colleagues”. They wanted to target key areas rather than spread themselves too thinly across multiple issues. Over 150 people completed the survey anonymously out of 200 in the IT department globally. They can break down replies by office location and by seniority in terms of manager or not. They came up with key issues that there was consensus on across the entire global population of IT. Thinking about issues affecting everyone created a real desire by people to change the way that they behave, relating to these issues. And then they revisited ideas to tackle root causes of issues. With agendas, for example, they asked how people set agendas, what they see as the problems within not having agendas. That gave a targeted view about what people were doing at the firm already, that might be forming good habits or bad habits. And the final piece of the puzzle is to think about how people actually behave. The steps were: figure out what's going wrong, figure out what people want to address and think about behaviour change. And think about behaviour change in a sustainable way that can be implemented by people given all the other pressures that they have at the moment, especially with the working circumstances as they are. And in a way that doesn't take away or cause someone to have to do lots more activity. They have been trying a series of interventions which start with small triggers or anchors, things that people do already. So for the setting an agenda example it would be putting someone's name in the calendar invite or checking the scheduler (starting with that small behaviour as the beginning of the recipe), not getting someone to set a giant agenda or a detailed agenda or fill in a template but asking people to write a few words of agenda at the start, at least, to let the participants know what their meetings are about. And then encouraging people to celebrate, once they've got that recipe right, which sounds a little bit weird but creates the dopamine hit that you get at the end of the day which starts to bring this behaviour into normality and part of your routine.

They've created a series of cards to use as part of their soft pilot, on which Jennifer Shaw (Senior HR Business Partner has collaborated:

- **Jennifer Shaw**

One of the areas that they have noticed is the different sorts of personalities - key in terms of understanding what was going to land. While they've seen similar activity in other areas, the survey output differs. They intend to focus on the things that are going to have the biggest impact. They created a global pilot group (they are able to use a global rather than London specific group thanks to their ways of working) – they know that these things are impacting the whole of their global group rather than just one small team. They held a workshop for these individuals and shared the outcomes at each step. Having that feedback along the way helps to shape what's going to work and what's not going to work and allows fine tuning. They've been able to work with their MBC champion within IT who has updated the team on a local level at town halls etc so that they are involved along the way.

They are piloting a soft launch globally on the agenda issue which (being mindful of GDPR and rules around sending things out) involves a kind of game with a laminated sheet that people can physically have in front of them to see things in an engaging way, and have a sense of learning, achieving and

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then celebrating at the end of the exercise. It is sent out to individuals or can be printed out directly. After a couple of weeks they make contact to see how the exercise has gone before sharing more widely. Discussing what things haven't gone so well that they need to fine tune. The other small intervention that they felt was going to have the biggest impact was understanding on a footnote what people's working patterns are, both at the moment are longer term. That was also one of the key stresses that individuals were finding. So with the different technologies they are working ways through of individuals making those small changes as well. Again, using all of the communication channels that they've got to update people to make it the norm. That has gone out from the pilot to everyone and they will think about how they are going to measure over the next few months

NU: It is about bringing people along with the journey rather than a top down approach. Taking inspiration from external sources about what makes initiatives interesting. It should grow organically. The game board approach can be repurposed and will have become a familiar approach – approaching issues iteratively one by one rather than bombarding people with multiple initiatives at once.

Question: What were the main challenges?

NU: Getting stakeholder time to get feedback. They have gone back every month to make sure iterative. Time intensive but useful. The logistics in getting material to people have been a challenge.

Question: Has this approach been drilled down through difference practice areas other than IT?

Toni Graves (A&O Head of Wellbeing): they have a mental health advocate in every practice group or function and have been supporting them to roll out on a way that works globally. The plan is to see how it plays out in the Global It function. The firm have been using workshops elsewhere, but not data science in the same way.

### 3. MBC Charitable Incorporated Organisation

We are now a CIO. A group of trustees is in place, who have met for the first time, chaired by Mary Peterson of Addleshaw Goddard. Minutes of meetings will be available on the website. The trustees have identified areas of responsibility, including ensuring that the Charter remains relevant and making sure that we are adhering to our public benefit obligations. We will circulate details of trustees assigned to particular areas. All current signatory organisations were formally admitted as members of the CIO at the first trustee meeting. We will be issuing invoices in due course when the bank account is in place.

### 4. MBC website

The website has been refreshed to update content and make it more useful to members. We have created new visuals to add impact and depth. The website developers have created a simple, effective narrative that encourages visitors to the site to find out more. We hope to launch the website within the next fortnight. Logos that missed the website developers cut off will be added in due course. The members area will be accessible via a domain specific sign in – using member organisation email addresses. It will house useful information that will be updated regularly.

### 5. Upcoming events:

- **US Institute for Wellbeing in Law – 19 May** late afternoon (UK time)
- Our **May signing event** will be on **13 May 5.30-6.45pm**. An opportunity to invite other organisations to whom the MBC might be of interest. Further details will follow.

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- The **Law Society of Scotland** are hosting an MBC specific event on **12 May at 12pm** – based around real life examples from Scottish employers. Another opportunity to invite potentially interested organisations. Those with presence in Scotland who would be interested in participating - please let us know.
- **Stress Awareness Month** – a poll was held to gauge interest in stress awareness sessions during April, hosted by byrne dean for signatory organisation employees. There was interest from the vast majority and so the events will be scheduled and details will follow.

## 5. AOB

Su Akgun (Osborne Clarke) gave a quick update on their work over the last couple of months to embed the MBC. They are trying to encourage teams to have open discussions about different ways that they can do things. One of main challenges is finding time to have the discussions about the Charter. They are supporting their mental health champions to initiate these discussions. The key is to stick at it and keep it on the agenda. They would like to approach Barclays, one of their clients, to hear about the positive impact it had had there.

Howden Group are running Legal Sector webinar on **30 March at 9.30am** looking at a range of wellbeing trends within the sector. It's aimed at their clients – exploring how they can start to shape their company benefit strategies to align to improved mental, physical and financial wellbeing - but they are widening the invite to fellow signatories. The registration link is here:

[https://howdengroup.zoom.us/webinar/register/7016154767688/WN\\_fuvz3pJ6QcOG58DpSnpSWQ](https://howdengroup.zoom.us/webinar/register/7016154767688/WN_fuvz3pJ6QcOG58DpSnpSWQ)

The next bi-monthly signatories call will take place on **20 May at 11am**.

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