

## **Signatory call updates**

### **September 2019**

#### **Barclays – Tammy Dixon**

Back in May Barclays conducted a wellbeing survey including reference to the MBC and have been processing the data throughout the summer. Their focus for the moment has been on engaging with law firms and other external stakeholders around the Charter, as well as looking at other areas of the bank where it could be implemented – compliance and the business management team with corporate banking have been the main internal areas of focus thus far.

#### **Pinsent Masons – Kate Dodd**

They have created their MBC story for the MBC website. They have developed and launched an internal Code of Conduct which started out as a Partner code but now a code for everybody in terms of behaviours that can be expected from all. The code will be formally launched with an event later this month and October “speak your mind sessions” which will be confidential spaces for all staff to speak freely around the Charter and how they feel it is being adopted and implemented. They are looking to launch the Charter in Hong Kong and Australia.

PM will share the Code of Conduct in due course but want to allow for it to be embedded and for any immediate tweaking to be done before releasing it externally. They will have a representative talking about it at the 10 October event from a junior lawyer perspective.

They have also produced MBC books and pens which, although on the face of it a small thing, do work to remind and reinforce and to keep attention on the Charter.

#### **Eversheds Sutherland – Jennifer Watson**

ES have incorporated the Charter into a wellbeing plan for the whole firm which was relaunched in May. They have been talking to clients more about the Charter and are holding a client event regarding the MBC and sustainable high performance. The focus going forward is on continuing to raise awareness, helping teams to adopt and incorporate the Charter and creating accountability for it. It is about getting it more into the day to day.

#### **Hogan Lovells – Julie-Anne Johnston was unable to attend the call due to illness but provided the following update by email**

*The main thing I was going to profile is an upcoming Mind Cycle challenge we are holding in celebration of the 2020 Paralympics held in Tokyo next year (we have a partnership with the British Paralympic Association) and in conjunction with Rob Stephenson of Inside Out. Between Tuesday 8 - Thursday 10 October, we will have use of four bikes in the atrium of our London office, with the combined goal of completing a 3,000km virtual cycling route of Japan whilst raising awareness of and stimulating conversation around mental health. This is a prime opportunity for us to profile the MBC to our people taking part, walking by, cheering on teammates and generally raising awareness across the firm. There has been a lot of internal comms around it already and we'll do a round up afterwards. We have invited Lloyds and Barclays to participate and I will pull together an article/profile for inclusion on the MBC website.*

**November 2019**

**Addleshaw Goddard - Mary Peterson**

AG have set up a senior steering group and nominated Mindful Business Charter champions in each of their divisions. Some were already in place but are now brought together quarterly along with a representative from the Transaction Services Team. The focus is on keeping internal momentum going. Part of that process is making sure people know what is going on elsewhere within AG. It can create a sense of positive competition when people hear of interesting MBC activity happening in one division that might potentially be replicated elsewhere. The steering group has now met for the first time. It was decided to ask AG's associate forums to feed back to the group quarterly, using a template, with examples both of what is working (examples of positive behaviour) and what is not working (which areas of the Charter need more focus) as well as examples of any positive client interactions. The senior steering group is keen on gathering anecdotes to collate centrally to give a better idea of impact.

As another example of recent activity, the Divisional Managing Partner of AG's Finance and Projects division circulated an email to all the fee earners in her team to say that when a new transaction is starting, where it's known that the client or other law firm is a Charter signatory, make sure to acknowledge that. Her point being that this is the ideal opportunity to be upfront about each party's requirements in the context of MBC principles.

Finally, MBC screensavers have been introduced which are impactful and positively commented on.

**Lloyds - Rachel Holder**

Lloyds have acted upon Pinsent Masons' message to signatories in relation to rolling out the Charter in their international offices. Lloyds legal teams in Singapore and New York have been consulted and they will look at building on the MBC jointly with PM and consider what events they can hold in those jurisdictions.

RH is looking at what the Lloyds legal community can do to roll the MBC out to the wider Lloyds business. It is noted that a lot of the pressure put upon the lawyers at Lloyds— pressure that is then passed on to panel firms – is driven by the demands of the wider business and the way the business interacts with legal teams. Some 'test and learn' initiatives are being rolled out to parts of the business to see how they land. Where lawyers have a place at the executive committee table in any financial divisions, the lawyers at those meetings will have a slot to talk about the MBC and rolling it out within that particular business area. This process will run in two parts of the business until the early part of next year and, depending on its success, MBC roll out will continue either in small scale areas or more widely throughout the business.

**Stone King - Rani Ahmed**

Stone King's original decision to come on board stemmed from the results of an internal engagement survey. The Charter has been well received by partners who have fine-tuned what they want to achieve through its aims. There is a sense of senior leadership team buy in. The only concerns expressed relate to how best to act as role models in relation to the aims. Heads of teams were asked to nominate MBC champions who explored the fine detail of implementation within their teams. Strong views were expressed! The common themes that emerged were fed into a draft code of conduct - SK minimum standards to be adhered to. Alongside that, individuals were given a basis of what role model behaviours look like. SK have diverse practice areas, and consequently diverse clients, so there will be ongoing discussion about the detail of the code. The initial focus is to

embed the project internally and receive feedback on what aspects work. Then SK will look to roll the Charter out with external clients, perhaps with a trial with one of the sectors and core teams. They hope to launch the Charter internally by 1st January 2020.

SK have been having constructive conversations with other signatories both at local (they share their Leeds office building with Pinsent Masons) and national levels. They have a collaboration group comprising Thorntons, Taylor Vinters and Ashfords whom they have invited to find out more about MBC and to share their journey to date.

*Question from Rani to the group: Where things haven't gone well, how has that been addressed? What pitfalls to avoid have existing signatories identified?*

*Kate Dodd (Pinsent Masons) – it is worth being conscious that the further one gets from centre (ie those closely involved in the development of the Charter) one can find surprisingly fundamental misunderstandings. Make sure that regular check ins with those 'branches of the tree' that are embedding the Charter take place, to address possible misunderstandings.*

### **DWF - Sarah Charlesworth**

DWF started their MBC journey by consulting with other firms. They decided that they would use the tools and methods already in place as a basis for embedding the Charter. They have publicised the Charter within the business via various means; blogs, intranet and posts on their internal social media. A series of communications have been sent to the executive board to help institutionalise the MBC and give the name and meaning familiarity. DWF have worked with their HR business partners to equip them to have conversations. They have held a number of Lunch & Learn sessions to promote the Charter, with office lunches held in Leeds, Manchester, Newcastle, Liverpool and Warsaw. There are more planned. DWF have 'People Partners' who promote people related initiatives and have presented the Charter at their committee, agreeing suggested actions to take back to their teams. It's been found that a number of teams already have a code of conduct which include MBC compatible principles. The next committee will focus on reflection and feedback thus far and look at potential changes to existing codes to further embed the MBC. All areas of HR are working on embedding the principles, for example in the e-learning induction. In terms of capturing data, a survey is underway which includes questions about work expectations and which will hopefully capture MBC feedback from the business. Finally, DWF are embedding the MBC within existing D&I activity. At a client event held around the mental health focussed insurance sector 'Dive In' initiative one of DWF's partner champions spoke about the Charter and its personal relevance to him.

### **-Ty Jones**

It's been striking and encouraging how proactive some of the business have been in their engagement with the Charter. There is a wish to learn how to integrate the MBC into the business in a more structured way that allows for measureable outcomes. One challenge has been encouraging people to devote time to changing behaviours within a time poor environment. Encouraging better use of technology, for example the scheduling of emails, has been an unexpectedly hard task.

*There was discussion around potential solutions that different organisations have tried to counter years of learned behaviours; an easily locatable email delay button or even a system whereby emails sent outside a 'normal working window' have to override a default that limits email traffic to within a working day.*

## **Michelmores – Lucy Best**

Michelmores have three focus areas around mental wellbeing and wellbeing in general this financial year. One is around raising awareness of the Charter and supporting the teams to identify ways in which they can adhere to the principles as part of a firm wide strategy. Over the summer Michelmores asked their peer network to give feedback on the Charter, about what the key principles meant to them and what could be done to promote those internally. On the back of that research delegation skills are being built into learning and development programmes and quick guides on delegation are being produced. The firm undertook lots of promotion about the Charter during mental health awareness week and world mental health day. Various departments are using their half year presentations as a platform to discuss the MBC and encourage people from team leader down to consider what they could be doing differently. Complementing the work around the Charter, the firm has been promoting ways to increase mental resilience and intends to train mental health first aiders in the new year.

## **January 2020**

### **Capsticks - Katherine Hallam**

Capsticks signed in May 2019. Their MBC activity started with an internal comms programme. They used their division department away days as a platform for talking about the Charter. Their Senior Partner and Managing Partner attended each away day and delivered 45 minute sessions to explain its content and what Capsticks were trying to achieve by becoming a signatory. Through these sessions they acquired a huge volume of knowledge driven information; hints and tips about good working practices and agile working which will be shared across the firm.

Capsticks have been promoting the MBC through their MHFA forum and are using tools such as statements on email signatures to maintain its profile. Their current focus, having just gone through their annual employee survey, is on good management practices. Training plans have been created to embed the MBC principles so they go beyond the activity around mental health and agile working and come to reflect what good management looks like. Challenges faced include keeping the MBC fresh and alive, leveraging so that it's seen as more than a box ticking exercise that was done once. They are using every opportunity they have to reinforce their involvement and remind people about what the Charter means.

### **CMS – Rachel Czernobay**

CMS also signed in May 2019, having identified that the MBC fitted well with their existing mental health initiatives. CMS have taken a top down approach, starting with the full support of their Managing Partner. A programme of sessions was developed for leadership around mental health which included material on the MBC. Sessions have been rolled out to partners within their practice groups (invitations to which came from practice group leaders (PGLs) to underscore the firm's commitment) in London and throughout UK offices. Internationally, the MBC has been promoted in the CEE region via their annual partner conference and in the Middle East via sessions in Oman. Planned activity in Hong Kong has sadly had to be cancelled due to the unrest but there. CMS appointed a board level champion for Mental Health and Wellbeing, Michael Cavers, who has had a prominent profile in the MBC roll out.

The sessions were called 'sustainable high performance' and combined general mental health awareness (pointing out the responsibilities of business leaders for improving mental health within the firm) with specific data compiled from use of their onsite CBT service. This format created an

effective platform for introducing the MBC, explaining why the principles were important and then why CMS needed to take steps.

As an example of practical tools, following on from the sessions some practice groups put together an email guidelines document as a guide to managing email flow. This was shared at later sessions and has been adopted and adapted by further practice groups.

Now that the Charter has been rolled out to practice groups the next step is to tackle business services, with sessions planned for business services heads. They will be collaborating with PGLs to create individual action plans.

In relation to clients, CMS are holding a client event to which PGLs are asked to invite clients to introduce them to the Charter, both in relation to their bilateral relationship and as a potential initiative for the clients to adopt themselves.

The Edinburgh Warwick scale is being considered as a mechanism for measuring improvements in wellbeing attributable to the introduction of the MBC. There is a shorter version of the scale with 7 questions, the answers to which produce a score that might be used to benchmark wellbeing.

RM explained that 'measuring impact' is one of the standing agenda items for the working group, the intention being to formulate a consistent way of measuring impact across signatory organisations. The Edinburgh Warwick scale is one of a number of different tools being considered. In respect of the legal profession RM is also having conversations with the Law Society (both the Junior Lawyers Division and more broadly) to ensure that where we can, consistent measures are being used across different initiatives.

### **Radiant Law - Nicola Lyons**

Radiant Law support in house legal teams for large organisations and banks. Having had extensive discussion before signing, they were keen to demonstrate that the Charter was a living commitment rather than a tick box exercise as soon as they signed in October 2019. A working group, that meets weekly, was set up. The group's first action was to explain what they were doing to the company, making themselves visible and accountable. Physical and virtual whiteboards were created for anyone to add ideas to. MBC activity is tracked by the company's project management board, further ensuring visibility.

To identify where to focus priorities, Radiant Law circulated a survey monkey question: "What are the main stressors for you at work?" There were interesting and unexpected answers.

It is acknowledged incremental changes will be key to addressing issues. As an example of granular changes, meeting etiquette has been refined. Standard meeting agendas and templates are provided for internal meetings to be used by all. It gives clarity and structure to meetings. People are better able to catch up on the content of meetings missed. These documents were already in place for external meetings but there was a realisation that people were being less careful of colleagues' time, which created stress. A mindset check-in has been put in place at the start of a meeting, and a quick score out of ten pulse is taken at the end, asking 'was that an efficient use of time?' etc The default outlook internal meeting slot has been changed from 30 to 15 minutes. Shorter meetings do seem to be more focussed. As another example, remote workers are encouraged to use video call to avoid the stress attributable to misinterpretation of email tone.

On the skills side, generic training has been broadened out beyond lawyering skills and managers, covering topics such as active listening, delegation, positive communication and handling conflict. Having these skills embedded across the company does seem to be lowering stress levels.

There is a standing agenda item to discuss MBC principles and progress at all client governance meetings, an update on MBC progress is included in all client quarterly reports, details of commitments around values initiatives are included in new client proposals, and the Charter is communicated at the client onboarding stage.

More broadly in terms of mental health initiatives, Radiant Law have committed to MHFA training, have revisited resources signposting help available, are promoting LawCare and are launching an EAP.

In response to a question by Philip Aiken, Nicola identified that one of the unexpected examples of employees' reported main stressors was holidays. Survey respondees stated that they find taking holiday stressful; having to ask for it, feeling like they are letting teammates down, all of the work that goes into prepping, taking the holiday and allowing themselves to switch off and then catching up on their return.

Expanding on the introduction of the MBC to clients at the onboarding stage, in response to a question from Kate Dodd, Nicola explained that the Charter is included regardless of whether the client has signed up to the MBC themselves. Radiant talk about their commitment and the ways that they work, try to bring clients on board in terms of expectations of when teams will be available etc and explain the Charter itself. Reactions have been positive. Some teams had been nervous about talking about hours and expectations but there have been no reported negative reactions. Some clients asked for reassurance that it would not affect the way they are serviced. Service levels have not been affected.

## **March 2020**

### **Ashurst - Deborah Dagleish**

Ashurst's approach was not to try to impose the principles across the whole London office immediately, but to start with their projects practice, allowing other practice groups to see what was happening and take it at their own pace. This does seem to have worked, with almost all groups now having adopted the MBC. Consequently different groups are at different stages; like a metaphorical orange tree with blossom, ripening fruit and ripe fruit!

One of the more recent adopter groups have developed cards to keep on their desks and at coffee points summarising the key concepts to keep them front of mind. Their projects practice is currently focusing on how best to integrate among new joiners, particularly trainees. This is encouraging as it keeps the MBC principles fresh for those that first learnt about them a year ago.

Partners running a debrief session with newly qualifieds noted that they cited Charter compatible behaviour when giving an overall view of departments. It has genuinely permeated the firm's consciousness.

Sharing what hasn't gone quite so well, one group had looked at MBC implementation a year ago and concluded that it was unnecessary as their behaviour already met the standards required. They are revisiting this initial thinking and have now decided that they will implement it.

Kate Dodd (Pinsent Masons) echoed that this is a familiar story. People think that they don't need to adopt the Charter but then revisit that decision when they realise they've been left behind. Some of

this movement comes from the junior lawyers who see that the initiatives have been adopted by other groups and ask for the same.

Discussing whether there is overlap where practice groups have developed their own ways of working, it was noted although no side by side comparisons have been made there does seem to be significant overlap. In this context Pinsent Masons have a Code of Conduct, which informs Charter implementation. They are rolling the Charter out through the whole firm on 1 May and it is anticipated that each group that adopts the MBC will be required to adapt this precedent to create their own Code of Contact to suit their part of the business. This will reflect the different stages that groups are at and the different ways in which they are interacting with clients and third parties.

### **Freshfields - Carrie–Ann Odlum**

Freshfields signed the Charter last May. The firm prioritised which MBC principles should be tackled first. They identified respecting rest periods and smart emails and meetings. There has been a thorough behind the scenes review of policies to identify where the principles were reflected or undermined and where the MBC sits within the wellbeing programme and cultures and behaviours programme. How is it best tied together to effect change?

Highlighting examples where policies needed amendment to take into account the aims of the MBC, the annual leave policy was very outdated, requiring that a personal mobile contact number be left when on leave and that a work mobile phone be taken. There is a proposal for a two week blackout period in the summer to which strikingly different reactions have been received.

Carrie-Ann has been working closely with partner sponsors and has presented to the London management group where the MBC is now a rolling agenda item. A series of partner, team leader and manager roadshows across London are underway, talking about the detrimental impact of continuously sending emails at weekends etc and how behaviour might change. Feedback from those involved who have since had conversations with their team around planning cover to meet deadlines, email communication and using the delayed reply function on outlook is positive. One said: "I am finding that I am asking myself do I really need to send this email now, whereas before these conversations I would have been guilty of firing them out without a second thought".

### **May 2020**

#### **Weightmans - Sarah Dowd**

Weightman's launched their current D&I strategy in 2018 making Disability and Mental Wellbeing a defined, protected strand with a senior lead reporting to the D&I steering group, which is chaired by the Managing Partner. They signed the MBC in May 2019. There are now almost 50 qualified Mental Health First Aiders across the firm in all different role levels, including two Board members. More than 60 managers have been trained as Mental Health Champions so they can recognise and deal with any poor mental health within their teams.

Within their D&I strategy they shared 'stories' from the strand leads highlighting why they were passionate about D&I, all of which received great positive feedback. They have introduced 'disconnect time' whereby people are encouraged not to send internal emails between 8pm and 7am in the week and during weekends. Feedback suggests that giving people permission not to answer emails has had a significant impact. While 'disconnect time' doesn't prohibit working outside those times it gives that permission and means that others don't expect a response. Having the Managing Partner involved was important – having that support at a senior level helps break down the stigma around mental health.

Significant dates throughout the year have been identified to raise awareness – Time to Talk Day in February, Mental Health Awareness week in May, World Suicide Prevention Day in September and World Mental Health Day in October. On those dates there were firm-wide comms and we encouraged each of our offices to host local events and activities to raise awareness.

Other steps taken include:

- Displaying a list of MHFAs alongside the list of First Aiders in all of their offices.
- Setting up a designated Mental Health page on their intranet directing people to various resources that may be of help.
- Rolling out Resilience training, delivered by an external mind-set coach.
- Delivering Menopause Awareness sessions.
- Where people don't have a standard working pattern, encouraging them to put their hours and days of work on their 'out of office' message so that others know when they are available.

Before the true impact of the coronavirus was known, Weightmans had already introduced agile working across the majority of their offices, providing tech equipment and funding for office furniture, as well as policies to ensure people were able to stay in touch with colleagues easily. People worked from home up to three days a week so the transition following lockdown was perhaps easier for them than others. Recognising that remote working brings its own challenges, they have introduced structured daily comms so that people know what to expect on each day including a 'Friday fun' day. Partners have created 'Isolation blogs' which document, in a humorous way, what their daily routine is. People have been genuinely honest about the challenges of lockdown and experiences with their own mental health. There is a specific 'Wellbeing at Weightmans' email address which is monitored by MHFAs through which people can make suggestions and ideas, as well as arranging to speak to a MHFA.

### **Coventry Building Society - Louise Gill**

Coventry Building Society signed the Charter in October 2019. They were lucky to have an excellent HR and community team and consequently good things going on in the business. Mindful that in the legal team they are at the epicentre of activity, they wanted to ensure that their actions reflected that.

In terms of achievements they now reference the MBC in their legal panel terms which have been sent to all the law firms that they work with. That has generated good conversations around expectations, ambition for the people they work with and the relationships they would like to have with them. This doesn't create anything concrete that the firms must comply with, but it generates an expectation that Coventry want to work with firms who have made similar commitments in the area.

They have conducted an employee survey and explored issues around openness and respect. They have discussed what behaviours should be encouraged and what behaviours should be called out. The MBC has been promoted internally and they will be looking next to promoting externally on their website.

There has always been an ability to work flexibly but this has come to the fore in the current circumstances. It has shown that flexible working relationships are well respected but there are small hints and tips that might improve it. eg details of availability on email signatures so that people can plan meetings around. They are trying to keep internal communication going with regular zoom and facetime calls, making sure to ask regularly how people are feeling. The next stage is further

work on how to bring people along and how to make the organisation a place where mental health is discussed openly and everyone has a voice.

In terms of promoting the Charter, they have looked at their contacts to see who else they might encourage to get on board.

### **Norton Rose Fulbright – Vicky Rose**

Their mental health initiatives – training Mental Health First Aiders etc – launched in 2016. Their Senior Partner is a leading sponsor in terms of messaging around kindness and mutual support. The last couple of years have seen a number of programmes including ‘mid life matters’, dealing with flexibility and adaptation around menopause.

NRF have an icon on their desktop, a ‘need help’ button, which avoids the need to search through the intranet and shortcuts to details of the onsite counsellor, EAP numbers etc There is a resource page around Covid-19.

There is an employee network for mental health and a number of programmes will accompany Mental Health Awareness Week bringing in resources they have come across eg the Samaritans wellbeing book club

In terms of communications, to support remote working additional team meetings and tea and talk meetings have been added to regular meetings so that there are more chances to check in.

As announced in the press, NRF have moved to a 4 day working week. This has been generally well adapted to. NRF had a similar scheme in 2009 in response to the financial crisis. There’s a sense that everyone is supporting one another and the wellbeing of the firm. It’s being adapted and flexed to suit the individual and meetings. There has not been any adverse feedback from clients reported.

Next steps include rolling out a masterclass to all partners, which will incorporate MBC themes, to help identify those who might be struggling and what actions to best take. In response to Covid, NRF are exploring the future of what work looks like from a logistical perspective. A survey has been put out to assess how people are feeling about working from home and gathering information about commuting etc in the future.

### **Simmon & Simmons – Cheryl Yan**

Much of their Charter related work is captured within broader wellbeing initiatives.

Line managers and others with managerial responsibility have been equipped with practical tips around noticing when team members are experiencing mental difficulties, how to initiate conversations and signpost them to support. A wellbeing intranet hub has been created as a central resource for both general wellbeing and Covid -19 specific materials including personal blogs of employees’ experiences.

The Mindful Business Charter remains on the agenda of departmental conversations. Practical hints and guidance are being shared relevant to specific groups. Thought is being given to applying the principles to current circumstances with a focus on respecting rest periods. There is recognition that demarcating work time can be difficult and that people might be experiencing zoom fatigue. Short blogs are being devised addressing the length of time spent on laptops to facilitate conversations.

Simmons are trying to reduce the amount of email traffic received, encouraging people to move internal conversations onto other platforms. Albeit with a recognition that messaging across multiple platforms can, in itself, present a risk. A silver lining is that people are more broadly

supportive of the 'smart meetings and emails' pillar, exhorting others to be mindful and not, for example, to 'reply all' unless necessary.

Coffee group meetings organised to mark MHAW will include tips on adopting the MBC within the current context. Overall there is increasing openness and willingness to talk about the Charter being displayed.

## **July 2020**

### **Nationwide – Nick Kirton**

Nationwide became a Charter signatory last October. This broadly coincided with Nationwide's Legal & Secretariat Department adopting its own MBC related set of protocols which reflect their nature as an in-house function and reference the broader scope of work carried out by colleagues in their Company Secretariat team. They have worked hard to embed these principles with the wider business and external counsels, many of whom are already Charter signatories. When engaging counsel himself Nick is mindful of the timing of instructions and agreeing sensible response times. This behaviour is being embedded across the function.

As a mutual, Nationwide has an ingrained sense of community and support, and a longstanding programme of colleague health and wellbeing measures. A recent tool made available is the Unmind app, launched via an internal webcast hosted by their CEO. This has made the conversation around mindful working practices easier.

They have been working to promote the Charter and protocols amongst other departments – identifying Internal Audit as a parallel function/fertile target. Activity has been significantly impacted by the pandemic which has put everything on a more practical footing. A positive is the increased readiness to talk about mental health, support each other without judgment and acknowledge the importance of mindful working. For now efforts are focussed on the immediate needs of colleagues. As things start to return to normal they will reflect on learning over the last months and consider how to progress the conversation around mindful working further.

Nick kindly agreed to share details of the internal protocols and Unmind app (there being interest among the signatory group for pooling information on wellbeing app uptake and what information to best populate apps with.)

### **TLT - Lucy Norman-Wells**

TLT also signed the Charter last October in the context of the firm raising awareness around people taking positive steps for their own wellbeing. They launched a six month firmwide webinar programme which included seminars on smart working and strategies for work/life balance and was used as a platform to introduce the Charter. The seminars were well attended with subsequent anecdotal feedback that individuals were committing to positive habit changes.

Legal directors from their Banking and Lender Services Group began monthly meetings with the HR team, taking one MBC pillar at a time and devising an action plan. A guide around internal meetings and emails followed. This was shared back to key group partner to give everyone a common language and framework to challenge behaviours that were inconsistent with the MBC. Legal directors were given a brief training session on having the conversations that would support the action plan.

A bite-sized webinar series was launched when enforced home working commenced. Some time was spent on each pillar focussing on top tips. This allowed TLT to frame the MBC within the context of

COVID by giving practical tips, for example around applying it those working in the evening to accommodate childcare. Anecdotally the series has been well received. TLT have just concluded their latest health related pulse survey to explore what the MBC means in respect of the return to work phase. TLT use the Thrive app which they would recommend.

A discussion arose on return to work surveys. Pinsent Masons are using the MBC to ensure that there is a baseline in terms of etiquette in the way people are described and how they speak to each other. It is recognised that people feel very differently about coming out of lockdown. There shouldn't be a sense of a 'brave' Team A back in the office and Team B at home as there are multiple individual circumstances that inform these decisions. Dentons recognise that there are issues around the compatibility of timings of those back in the office and those still logging on early and late to suit home working. There is also a suggestion that the difficulties around moving back to the office may disproportionately affect women.

### **Baker McKenzie – Sarah Gregory**

Baker McKenzie's focus on the Charter has sat within their overall focus on mental wellbeing. Their Managing Partner's messages throughout lockdown have focussed on wellbeing. Weekly firmwide emails have included real life examples of what people have been doing to support their wellbeing during this period.

Leadership – they held a session in December for the whole partnership and leadership group focussing on mental wellbeing and self-compassion which was very well attended. As one of the follow ups attendees were asked to instigate discussions in their teams around wellbeing including the principles of the Charter. As a large organisation, things tend to be adopted more effectively when they are drilled down into individual teams rather than simply shared firmwide.

Process – Baker McKenzie have a working group of lawyers and others across the office who have been systematically looking through the Charter to create standard documents. The standard documents are then passed on to individual groups to discuss and decide how to adopt them. Decisions are taken on both a group and project basis as it is often the project group which needs to agree the mechanics of how people are working.

Clients – they have had good conversations with clients around the Charter, particularly around engaging with law firms and how to send instructions. Mindful working requests have also come from clients, for example asking to avoid setting conference calls at certain times. Some clients do still have an expectation of round the clock responses so this is a work in progress. There has been debriefing after projects about what has gone well and what might have gone differently and an effort is being made to have these discussions at the beginning of projects as well.

Baker McKenzie undertook a survey a few weeks ago to test the waters in terms of returning to the office. There was a marked wish to avoid public transport for some time to come. The small group who are keen to come back to the office tend to be people living on their own or more junior people either struggling with space and facilities or with the difficulty of learning in a remote environment. There is a need for careful thought around introducing some 'in person' contact during the continuation of remote working.

### **Pinsent Masons - Kate Dodd**

Pinsents had previously gone out through their UK Banking & Restructuring teams and their Hong Kong and Singapore businesses. 1 May marked their all UK launch, covering an additional c. 2,500 people. It was marked with a well attended virtual event. The MBC has provided them with a strong

framework through which to respond to Coronavirus and to use the MBC working groups for wellbeing related work. As of 1 May each of the five major groups have their own MBC working party, led by their own senior partner or bus opps leader, tasked with embedding the Charter into their teams. They are taking some of the learning from their Banking & Restructuring rollout. Pinsents asked for volunteers for these groups and were pleased to have 30/40 applicants for each working group for 12 positions. Each group's first job is to develop their own code by looking through the Pinsents Code of Conduct. They can decide whether to tailor it, if at all, avoiding the chance of any suggestion that parts of the MBC code might not be workable for X team when they had originally been drafted for Y team.

The Banking team have undergone a long process of 3 monthly pulse surveys, checking in on where they're up to with the Charter. The survey has now gone out to everybody, creating a baseline to work from. It is interesting to see differences between different groups. There are monthly delivery board meetings to meet as a central group – useful as a focus for those groups that have lagged behind in terms of activity to catch up.

The MBC has now launched in the Middle East as well as Singapore and Hong Kong. Australia and Dublin are coming on board. There is not much traction in Germany, France or South Africa so if any other signatories have presence in those areas please get in touch about connecting them. (Sarah Gregory offered that Baker McKenzie's Johannesburg office have been focussing on the Charter).

Conversations are ongoing with clients to convince people to come on board. Kate has spoken about the MBC on various webinars over lockdown.

## **September 2020**

### **Goldman Sachs – Jolie Norris**

Goldman Sachs signed in January 2020 with a launch event and internal panel event. Panellists included Phil Aiken (Barclays), Jonathan Chertkow (Hogan Lovells), the GS on-site BUPA lead physician and Jolie as MD sponsor for the EMEA Legal Division working group. The EMEA Legal Division had taken a lead on resilience and mental health discussions, the broader legal department throughout the global business being at differing stages of activity, and it had been decided that accession to the MBC would, initially, be limited to EMEA. Other areas within GS, including Compliance and Internal Audit, attended the event. It says a lot to the simplicity of the Charter that it isn't construed as limited to the legal function. There is a lot of relevance to broader institutions and divisions.

The Charter has facilitated valuable discussions within legal teams both about how to operate for the better wellbeing of those within those teams and how to operate with internal clients (depending on what revenue desk is being supported the demands and practices vary widely). GS have also ensured that resilience and the MBC are on the agenda for their regular review meetings with relationship law firms. Thought has been given to how to draw on the Charter to manage expectations internally. Creating sufficient openness and trust so that the legal team know their internal clients well enough to know whether a deadline is real or convenient. Where they also have a good relationship with the external law firms that they instruct, a request to turn something around quickly is trusted by the law firm to be truly reflective of need. They are keen to make it understood that the Charter is not a means of getting out of work but is for the better health and wellbeing of everyone; that we can best achieve that if we understand the drivers and have confidence on both sides that the right instructions are being given with the right deadlines.

The Charter has seemed equally if not more relevant to work during lockdown. There was an assumption from some internal clients that needed rebutting, namely that working from home equated with being available all hours. It can be difficult, as a manager, to have a clear idea of colleagues' working environments and the work pressures they are being put under. They aimed to empower staff to have conversations with their internal clients about their working constraints and make sure they felt able to push back against eg a call at 9pm. There might sometimes be a need to be accommodating that but shouldn't be business as usual.

### **Irwin Mitchell – Sam Cook**

Irwin Mitchell are in their first year of MBC membership. They benefitted from an established wellbeing programme - with MHFA equivalent reps, a wellbeing calendar of resources and events, a steering group, wellbeing apps, digital GP, line management training (a useful area to introduce the Charter) and multiple resources around tackling specific meetings. They are moving towards a more proactive, preventative approach to ways of working, in line with the MBC.

Since lockdown, wellbeing activity has increased. Partly as a result of colleagues' feedback, but equally because the executive board has put wellbeing at the centre of what they are doing and want that to translate into change rather than just talk. The MBC is seen as a more critical tool than their reactive support at present. H&S team stress risk assessments have identified the root causes of poor mental wellbeing as being aligned to working practices: ways of working, Teams and Zoom fatigue, and domestic pressures alongside an equal or increased expectation from colleagues, clients and both internal and external stakeholders. Culture change is therefore being prioritised. They are taking wellbeing initiatives forward in a way that mirrors the Charter, focusing the agenda on: email usage, meeting etiquette, expectations from clients/colleagues, devising more creative ways of working and sharing learning (particularly for those missing out on learning through observation) and respecting rest periods.

The firm are still largely working from home. There is particular concern for the experience of trainees, paralegals and apprentices who have moved from an office environment and opportunity to obtain knowledge through osmosis to a more structured relationship with short sharp meetings. Managers are trialling ways to address this and have created a group to discuss and share what works. One senior partner is spending periods of time with juniors on Teams in the background. The partner makes clients aware that the juniors are observing and can turn to those juniors on Teams to interact, inform and invite them to take things on.

The next action will be looking at their introductory line manager training, using the Charter to frame basic concepts around communication and expectations and making considerate decisions about how they manage, support and communicate. Communication is one of the main challenges. They do a lot but there is sometimes a lack of awareness of what they have and do.

### **DLA Piper – Rachel Bedford**

DLA announced their health and wellbeing strategy last October in line with World Mental Health Day along with their commitment to the Charter. They have Executive sponsorship from their Global co-CEO and Managing Partner, Simon Levine, demonstrating that health and wellbeing is a key priority for the firm. They have an international SteerCo made up of Country managing partners, senior partners and board members as well as working groups across the firm to help implement their initiatives and bring them to life. They have introduced various programmes; building resilience, MHFA ambassadors and various support platforms.

Covid happened just as they were getting running so there had to be changes around delivery of programmes and the support given. Both the workload and spotlight on mental health has increased. Before lockdown they had discussed implementation of the Charter. Ideas of desk drops and messages on screen that would appear before people logged in were put forward. It was decided to create an animation - a short video launched in July to explain what the Charter is, what some of the changes in behaviour could be and what small changes might represent. They linked it to DLA values to bring it to life.

They have developed a toolkit, initially for managers, which gives practical guidance on what they can do and how to help teams implement behavioural changes. Within Rachel's own team there has been positive feedback on MBC involvement and she has noticed that changes are being made, for example with more thoughtful email use. She has noted that a better understanding of different working practices during remote working has sometimes led to less expectation that emails require an immediate reply regardless of when the email was received.

They have been engaging with different groups across the firms, leveraging for example the support of values champions. They are gathering feedback and anecdotal evidence with a view to showcasing what has gone well in the future.

Over the next 6 months their focus is on continuing awareness and introducing a mechanism of measuring success. They are running a monthly wellbeing pulse survey so there is potential to use that to gather feedback. They will then consider how best to bring the health and wellbeing topic into conversations with external clients.

### **Barclays - Melissa Hardisty**

It had struck Melissa, when circulating a list to the team in preparation for the update, how the little things done over the past two years had collectively added up to a lot of activity. Barclays launched the MBC in Legal. They have MBC champions who meet every month to share tips and drive the initiative. One of trickiest things is keeping the initiative top of mind.

Smaller things done include talking within team meetings about what the Charter means to that team of 5-10 people, sharing their non-negotiables – the things they need to function well. More widely they have brainstormed each pillar of the MBC on team offsites, using flipcharts to bring it to life. Their focus is on easily achievable, small yet impactful steps. Not sending emails to people on holiday or adding a 'for when you're back' subject line. Looking at email addresses in lists and reducing email traffic by thinking whether all need to be there.

They created a Mindful Ninja comic strip which was sent out weekly to keep the MBC front of mind and allow colleagues to call out non-MBC compatible behaviours. It's intended to be semi-humorous and the comic strip depiction of what people do (eg setting up a call with Asia at 6pm UK time) highlights how daft some behaviours are. They have added on to auto signatures a 'we support the MBC...' with a link to their internal page. Melissa is endeavouring to get as many MDs as possible within Legal and beyond to adopt it. The challenge is lack of technical knowledge as to how to add it rather than lack of commitment! The auto signature message does generate requests for more info.

Barclays have set a Line Manager Objective so that there is with a marker for line managers with specific commitments. The Objective has a detailed title and list of activities set out eg ensuring regular one to one discussions, reading the Line Managers' Commitment (launched at a signing ceremony to ensure a top down commitment).

Their next steps are to take the MBC beyond Legal. Discussions are underway with other teams including their regulated lending, business management and compliance teams to roll out a version of the Charter tailored to them. Some of that activity is coming out of people seeing the MBC on auto signatures. In Asia and the UK Barclays are talking to various organisations to seek to extend the scope of MBC membership. These include the Bar Council, the Bar Wellbeing Group, Chambers, the British and American Chambers of Commerce, the Law Society in Singapore and the in-House Community in both England and Singapore.

They are also seeking to build in the MBC as a standing agenda item within relationship management meetings, not as something else to mark people against but as a sharing experience and to invite feedback. They welcome feedback both positive and negative! Phil Aiken has spoken about trying to prevent the elastic band effect - trying to avoid all the good work being done as part of lockdown and Covid fire drills disappearing as and when we go back into the office. Avoiding people snapping back to previous behaviour and forgetting the learnings. There are no answers as yet but keeping it top of mind is the first step.

## **November 2020**

### **HFW – Kathryn Hull**

HFW recommitted to the MBC on World Mental Health Day, one year on from signing. Their commitment has been global across their 19 offices from the outset.

They decided to focus on one pillar at a time, every quarter for the next year. Initial focus is on Pillar 3 - Respecting rest periods. Their first quarterly campaign is 'Work rest and play, in an agile way', recognising that people are working in a different way across their jurisdiction given COVID.

MBC Champions have been collecting information and feedback globally on behaviour around rest periods and highlighting where there is a need to improve. Their feedback will be used to share examples of integrating rest and play into busy lives.

They launched a wellbeing hour. Initially a one-off opportunity to take an hour out of their day to do anything that benefitted their wellbeing. Feedback has been positive. Some suggested having it at a set time, but that was problematic in view of the different jurisdictions, departments and working patterns. They intend to offer a wellbeing hour every month going forward.

Next steps – they had delivered a webinar with Dr Nerina Ramlakhan around rest and will continue to share shorter tips-focussed videos (feedback showing a preference for short videos over a 30 minute webinar.)

They are looking to run a programme with their Management Board around wellbeing, acknowledging that tone from the top around the implementation of the MBC is incredibly important.

Looking to do a mailout to all employees which will include information about the wellbeing hour, supports offered and a Kit Kat to encourage people to take a break!

### **Burness Paull – Emma Smith**

Burness Paull joined the Charter in October 2019. They had been doing a lot of work around mental health and the Charter aligned with that work and consolidated the messaging.

Their first step was getting senior sponsorship. Their Managing Partner heads the campaign, and Chairman and Director of Business Services are closely involved. They held an internal launch event which produced 33 MBC Champions. The Champions' role is to push forward the MBC agenda and to consult with employees and strategy groups on embedding across their divisions.

BP rolled the Charter out one pillar at a time in 3 stages, all underpinned by the principles of openness and respect. They started with meetings and emails, looking at what would work in their teams eg limiting internal meetings to 30 mins and using 'not for now' or equivalent in email titles

BP decided that, for them, there wasn't a one size fits all Charter for all practice areas. Informed by discussions MBC Champions had with their teams, they embedded MBC principles in practice areas in ways that suited them. They then collate the various teams' ideas and gather those that they consider would work well broadly across the firm into a top tips document which is sent out and goes on to the MBC intranet page.

The MBC had been well embedded by the time COVID hit, which it was felt stood them in good stead for remote working.

They are currently considering 'Respecting rest periods'. The pillar fits well with feedback about people's inability to switch off during home working. They are using the MBC to put in place practical steps around making sure people switch off in the evenings and take holidays. MBC champions are currently looking at this within their teams

They are looking at monitoring metrics of email traffic. The intention is to identify trends and look at the bigger picture of email traffic in general in terms of volume. Results will be matched with survey results where particular divisions are getting poor results in terms of switching off. The issue of being copied into emails was also raised during Burness Paull's initial consultation. Teams are getting better at changing email subjects to keep them relevant. It is relevant to emails both to and from fee earners. When, for example, the finance team were told that partners had fed back that they get generic emails that they don't feel are relevant, Finance countered that they are often copied into emails without being directed to what they are meant to be looking at.

BP have been working with a client (and fellow signatory) to look at how the teams on particular transactions can work with each other in an MBC compliant way.

MBC is starting to become part of their daily dialogue.

### **Paul Hastings – Luke McDougall**

Paul Hastings have been a signatory for a little over a year. At PH the promotion of the MBC comes under their 'PH Balanced' programme which is the umbrella for work-life fit, mental health and flexible working initiatives within the firm.

They are currently assessing the level of implementation and permeation of the MBC in London and determining whether to roll out MBC globally through the firm. As part of that, they are undergoing an internal survey regarding how the MBC applies during the pandemic and to remote working caused by lockdowns in the UK. So far the feedback is more granular and encouraging than they expected - in particular the willingness of partners to use MBC in their engagement with clients has been interesting. They have successfully encouraged clients to sign which allows for exchange and engagement, and a mutual holding to account in terms of MBC compatible behaviours.

PH have concluded that adapting the MBC, by making it specific to particular practice areas and their people, works best for them. In late 2019 they created a leveraged finance version (a practice area

notorious for problematic behaviours) with ground rules that they shared among a group of leveraged finance teams in other signatory firms. Although the practice area is notorious for weekend working, minimal turnaround times etc there are those who recognise that these practices are untenable and unsustainable. If work needs to happen at the weekend there can be a better, more mindful way of conducting it. Accurate subject lines are particularly important if multiple emails are being received at the weekend.

Focus and concrete steps taken in relation to the MBC have been subsumed within the pressing issue of the firm's approach to the pandemic and the Black Lives Matter movement. PH Balanced has spent significant time trying to find ways to support staff and bring important voices and perspectives into the conversation. They arranged for Professor Sir Cary Cooper, a foremost expert in work-life stress to do a webinar for our staff and clients, which was very well received. It also helped focus on the key causes of bad mental health outcomes in the workplace and where those intersected with remote working.

A next step, once they have the survey data points arranged, is to decide whether to roll out globally at this stage.

## **January 2021**

### **Howden Employee Benefits & Wellbeing – Cheryl Brennan**

Howden signed the Charter in early 2020, having been introduced through the annual Wellbeing for Lawyers Conference. Howden is an Employee Benefits & Wellbeing business that provides corporate clients with employee benefit broking and consulting, as well as market leading health and wellbeing solutions. They knew they needed to do more for their own employees and the Charter gave them the framework to do so and deliver cultural change within the business. They operate in a traditional 'broking' sector where poor lifestyle behaviours and hard-nosed attitudes have dominated the industry for decades although they are seeing recognition in the market that maintaining the status quo is no longer viable.

Smart meetings and emails – they have adopted remote working practices and have challenged the thinking of more traditional leaders within the business. For many employees this has led to higher productivity and a better work life balance. They put communication policies in place to mitigate the saturation of communication through multiple platforms (whatsapp, email, teams, zoom, text, workplace). They have addressed meeting and screen-time overload via some simple practices that are embedded within the Charter's 'respecting rest periods' eg a policy of no internal meetings from 12.30 to 2pm during winter to ensure that their people could use daylight hours to exercise - empowering employees to push back and decline meetings.

They have initiated an assessment of mental wellbeing performance as a baseline starting point and on an on-going basis using their Wellbeing and Data Analytics business. Undertaking qualitative and quantitative measuring of health and wellbeing data, workforce data, benefit data and a review of policies and adopted employee focus groups. Through this they have been able to benchmark against best practice. This enabled them to meaningfully assess the impact of the Charter and embed culture change.

There remains the challenge that a minority of clients, the exceptions, have working practices that significantly contradict the Charter. A challenge in maintaining high quality service and client relationships while ensuring that client behaviours are not adversely impacting on individuals and

their People First values. Cheryl would be happy to individually connect with anyone that wants to know more about their approach and success to date.

**Discussion:**

How was the 12.30-2pm meeting free period rolled out without significant push back?

The request came from the leaders of the business. It is not mandatory. However it empowers individuals to decline meetings. There has been a reduction in managers putting meetings into others' diaries during that time. Many have blocked the slot out in diaries as a conscious reminder. For client meetings consultants are encouraged to plan meetings further ahead to find meeting times that fit around their rest periods.

Examples of poor practices from clients and how they are challenged?

Main issues they face are around unreasonable response times – they strive to respond within a day but can be chased within minutes/hours – and pressure to be available out of hours – clients seeking to speak to consultants late at night and at weekends.

**Osborne Clarke – Bola Gibson**

Bola has been Head of Inclusion and CSR at Osborne Clarke since July 2020. The MBC sits within the Mind and Body strand of their overall Diversity and Inclusion activity.

The firm has a longstanding focus on wellbeing which the senior leadership were keen to build on during the pandemic. Despite the senior support their most recent engagement survey showed that the support offered (flexible working, free gym access etc) wasn't necessarily hitting the mark. People were finding it hard to put suggestions into action. The suggestion that time for wellbeing should be blocked out in diaries was pushed back against. It became clear that giving people autonomy over their wellbeing was the best approach for the firm. This aligned perfectly with the Charter which hadn't yet been fully unleashed.

Towards the end of last year thought was put to how best to use it as a way of addressing wellbeing concerns and challenges. How can the MBC be used as a tool that allows each team to identify what works for them? The firm focussed on Openness and respect - if you can't have the conversation it's difficult to embed the other behaviours.

The MBC was introduced in a firm meeting last year, talking through the principles and encouraging people to go away and think how it might work for them. How do we use the Charter to help you find your route to what will work for you?

It linked with a line manager capability programme - introducing the idea that looking after your people and their wellbeing is a core competency and that line management is a skill that people need to learn. They have now launched a Line Managers MBC toolkit - translating the MBC into a short guide to help managers think about how they can keep it on the agenda, use it to open conversations within their team, identify pinch points within the team and which of the 4 pillars is most relevant. The toolkit contains simple suggestions that managers can work through. It is intended as a thought provoking rather than instructive document. Example suggestions: 'Plan meetings you're responsible for chairing – agree agendas or objectives in advance' and 'Can you have a walking meeting to get away from your screen? Perhaps you could download MS Teams onto your work phone and walk and talk? Initial feedback has been positive. Some had been hesitant

about the Charter but being able to pick up the toolkit and start the conversations has helped their teams to open up.

They are looking at the introduction of the MBC to clients. The MBC is among the opportunities that Client Relationship Partners have to think about diversity and inclusion. 'How are you managing wellbeing during the pandemic?' is an easy question to pose in a conversation with clients and a good way to introduce the MBC.

They are looking also at measurement of stress within the firm; looking at ways of measuring that as distinct from overall wellbeing scores.

Discussion: echoing that the line manager piece is particularly important. Mindful delegation in particular is a skill that needs to be learnt and should be embedded in manager capabilities programmes.

### **Unilever – Sarah Orchard**

Sarah's experience of managing a team through bereavement, suicide and cancer had highlighted the lack of support available to line managers and put wellbeing high on the agenda. A three week sprint was run to get input from the team on what they would want from a wellbeing charter. They wanted something:

- To be a living and breathing part of their day-to-day (not another Degreed Pathway)
- To have shared accountability and ownership
- To create psychological safety for people to be open and honest without fear that this could impact their career progression.

Sarah proposed the MBC as a framework. It was agreed that it was for everybody to build within their teams how they wanted to operate around the four pillars. Culturally there are sensitivities in every part of the world around how people talk openly about mental health and wellbeing, and they wanted to respect that.

Every market has created an MBC one-pager on which principles they are going to adopt. As they are a global company, a blanket 'no meetings at lunchtime or after 6pm' wouldn't work - but the Charter gives permission to say no, or suggest that input is given by email, or to say 'what do you need from Legal, can I attend for the first ten minutes?' Opening up that conversation rather than making it a set of rules. They initiated meeting-free Friday afternoons for 6 months last year.

Unilever have embedded wellbeing within key platforms within Legal. They hold a town hall every month with a wellbeing moment eg an on the sofa chat - honest and open conversations. They have 45 minute Lipton tea breaks (people were missing the facetime connection outside meetings) where people are switched into rooms – you may find someone in your team or it might be someone you never met. As part of learning week they had a session every day about wellbeing – linking it to their products and sharing tangible tips and tricks. They encourage chatter and sharing on Yammer.

Unilever had a wealth of information but not everyone was aware of it (eg many were unaware of the EAP). They have elevated the material that is there, making it part of the every day.