



WOMEN IN LAW PLEDGE GUIDANCE

The Women in Law Pledge is a collaboration between the Law Society of England and Wales, The Bar Council, CILEx and other organisations with an interest in the legal profession.

The Ministry of Justice is supportive of the Pledge and welcomes this initiative. In launching this initiative, the Law Society, The Bar Council and CILEx continue to be committed as membership organisations to working with all members and organisations to support their efforts to meet the requirements of the Pledge, and warmly welcome the participation of organisations outside the legal profession with aspirations to improve gender equality in their industries and sectors.

Which organisations can sign the Pledge?



Signatories

The Pledge is primarily aimed at all legal services providers, as defined by the Legal Services Act 2007. However, other organisations can sign up to the Pledge.

We particularly encourage Law Societies and Bars in the UK and internationally, as well as organisations who are suppliers of services to the legal sector or clients of legal services providers to do so. These organisations are in an ideal position to become active advocates of this initiative and can use the Pledge to promote gender equality in the legal profession, for example by referring to it during procurement processes or selection of legal panels.

We also welcome the support of other organisations who might not be in a position of direct influence but can still show their support to this initiative. Supporting organisations might include educational institutions, not for profit sector, public sector organisations, legal recruitment agencies, etc.



Advocates

Individuals from across the legal profession¹ can raise awareness of the Pledge and encourage their organisations to sign it.

We particularly encourage anyone in a position of senior leadership or influence, particularly men, to become Champions within their organisations. As champions of change, men can work towards the positive transformation of social norms and can act to hold others accountable and encourage them to join in.

¹ Including barristers and members of the Judiciary

What does my organisation have to do?

Senior leadership accountable for gender equality

- Appoint a member of the senior leadership/management committee team accountable for gender equality.
- Organisations are encouraged to publish details of the senior leader who is accountable for gender equality and publish relevant targets and action plans to support the transparency and accountability needed to drive change.
- Depending on the size of the organisation, in addition to the accountable member of the senior leadership team, it may be appropriate where possible and practicable, to identify a team of senior leaders responsible for driving the work forward, and to nominate other senior champions responsible and accountable for other areas of equality, diversity and inclusion.

Gender equality targets in senior management/management committees and leadership teams etc.

Whilst the key objective of the Women in Law Pledge is to **achieve gender equality** at the top of the legal profession, we recognise that intermediate targets might be necessary. With this in mind:

- Organisations should set at least one numerical target for gender diversity in senior leadership² for their UK based operations; and set a timescale to achieve this (i.e. X% women in senior leadership by XX/20XX; X% women on the management committee by XX/20XX).
- Your target(s) should ideally be part of a package of measures designed to improve gender diversity, and where possible, seek to consider intersectionality³ at the senior levels of your organisation.
- Targets can address a range of areas such as gender/ethnicity pay gap, flexible and part-time working for all genders, recruitment/applications (for law firms, including in relation to advertising roles suitable for part-time and flexible working arrangements), career development, progression and retention. Organisations have discretion on the detail of these targets.
- We encourage organisations to develop and publish a narrative that explains the rationale for their targets and plans to achieve them.

For law firms only – senior leadership pay, reward and recognition linked to delivery against gender equality targets

- Organisations should be able to demonstrate how they have linked the variable pay of their senior leaders, or their reward and recognition if there is no element of variable pay, to delivery against targets.
- Given the diversity of the sector, organisations have discretion on how they do this, including determining which senior managers and leaders are in scope and the proportion of variable pay or bonus or other rewards and recognition affected.

Action planning

- The action plan should demonstrate how you intend to achieve your gender equality objectives.
- The action plan should present prioritised actions to address the issues identified by the organisation. For each action the organisation must define:
 - a. appropriate success/outcome measure(s);
 - b. the person/position(s) responsible for the action;
 - c. specific timescales for completion.
- We encourage organisations to devise action plans covering at least three years and clearly identifying the incremental progress the organisation aims to achieve through its gender equality targets.
- Actions, and their measures of success, should be Specific, Measurable, Achievable, Relevant and Time-bound (SMART).



² In law firms this should be considered as including all partners (not just equity) and other relevant leaders (as appropriate)

³ Intersectionality refers to the way different types of inequalities are linked to and affect each other. For example, Black, Asian and Minority Ethnic (BAME) women are least likely to progress in their career due to the double impact of gender and race inequalities in the workplace. The likelihood of achieving partnership for BAME women is merely 13%, compared to 18% for white women, 29% for BAME men, and 73.5% for white men (Law Society Annual Statistics 2018).

Law firms (solicitors) only:

We strongly encourage organisations, where appropriate, to apply for the **Law Society Diversity and Inclusion Charter**, which can provide a robust framework to advance gender equality and further the commitments made under this Pledge. The Diversity and Inclusion Charter will be particularly useful to address the following:

- a. **Addressing negative impact of bias** in recruitment, retention, progression and decision making. This might include, for example, delivery of understanding bias sessions (including unconscious bias training) to all your management and senior leadership teams;
- b. **Tackling workplace sex discrimination, bullying and sexual harassment**, which may include implementing the Law Society's guidance and recommendations on workplace harassment⁴;
- c. **Taking active steps to challenge negative aspects of workplace culture** around billable hours, business development and work allocation. This might include the introduction of reward systems that are based on outcomes rather than number of billable hours, as well as recognise the efforts dedicated to business development and other marketing activities;
- d. **Introducing structured work allocation models** that can reduce bias and inefficiencies in the way work is distributed, hence ensuring more equal opportunities to develop and progress;
- e. **Introducing, encouraging and supporting responsible flexible working models** (particularly within the senior leadership team) and ensuring they are implemented consistently to assist everyone, regardless of their gender, to better balance professional and other commitments;
- f. **Tackling gender and ethnicity pay gaps**, including by implementing the recommendations developed by the Law Society setting the standard for pay gap reporting in the legal profession⁵.

For barristers' chambers:

The Bar Council has guidance, training and support available for chambers/others looking for assistance in meeting targets/agreed action plans or activity.

For more information email equality@barcouncil.org.uk

Reporting gender equality targets

Deadline for first cohort signatories to set and publish targets and action plan:
31 March 2020

(First cohort only) Deadline for first annual progress report against targets:
by 31 March subsequently each year

- Organisations should publish their gender diversity targets by 31 March each year after they sign the Pledge.
- These targets must be published on a dedicated webpage on the organisation's website.
- Alongside the targets themselves, the webpage should also include some narrative text which explains why the organisation has chosen these targets and how they can help improve gender diversity, particularly at more senior levels. When publishing annual progress against these targets, the narrative should explain why the organisation has or has not met their targets, or whether they are on track to meet their targets.
- Organisations have 12 months from the date they set their gender equality targets to report progress against these targets. This progress should be published alongside the targets on the firm's webpage by 31 March each year.
- We encourage organisations to break down their targets and progress by level of seniority (for barristers – call) (for solicitors – including differentiating between salaried and equity partners) and if possible and appropriate, to present the information in an intersectional way, e.g. by ethnicity (at least differentiating between white and non-white) to ensure progress is benefiting all women.
- It will be good practice for organisations to include a Women in Law section in their annual report and accounts, or equivalent formal report.

4 Available here: <https://www.lawsociety.org.uk/support-services/advice/articles/workplace-harassment-guidance-for-employers/>

5 Available here: <https://www.lawsociety.org.uk/support-services/advice/articles/gender-pay-gap-reporting-setting-the-standard/>

Monitoring the success of the Women in Law Pledge

- The Law Society, The Bar Council and CILEx may periodically monitor the success of this initiative to understand how the Pledge is being used to improve gender equality in the legal profession and how this impacts their members.
- This monitoring may include gathering case study material to promote how the Pledge has helped to improve workplace culture and the outcomes for women in law. If your organisation would like to take part in providing case study material as part of this monitoring process, please contact us.

If you would like more information, or would like to speak to the team about matters related to the Pledge that are specific to your organisation, please email:

diversityteam@lawsociety.org.uk



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