

## Appendix 2: The D&I Matrix

### A2.1 What is the D&I Matrix and how does it work?

The Matrix is designed to provide guidance on actions that will address priority areas. It can also be leveraged by firms that have an existing Action Plan to identify new areas for development. It addresses D&I concerns at each stage of work life inside a law firm and is structured around the following key employee life cycle milestones:

1. Attraction and recruitment process
2. Induction period
3. Career progression and promotion
4. Ending the work relationship

The matrix uses four key terms:

- **goals** are set for each stage of professional life;
- **objectives** are listed to achieve these goals;
- a set of **actions** are listed to achieve the objectives; and
- guidance on how to **review and measure** progress is provided.

Implementing any or all these actions requires resources – human and financial. Each member firm should consider these factors as it begins its journey, ensure that its HR department has specific training on D&I issues, and set up a D&I officer/committee or other internal body to **implement and monitor actions** at the various stages of the work relationship (from recruitment to career progression to termination) to bring specific sensitivity to D&I issues and ensure compliance with minimum rules.

The D&I officer/committee should ideally consist of representatives of the different groups of employees/fee earners and staff within the firm, and/or trained/qualified professional(s) (with some knowledge/background in D&I processes and implementation). The D&I officer/committee should work closely with the other main and supporting functions of the firm, including the partners/practice heads and HR department, to constantly review progress, identify issues in implementation and propose amendments to the Action Plan.

Approaches to recruitment may differ depending on the roles needing to be filled. Care should be taken to meaningfully incorporate D&I at each stage.

### A2.2 The Diversity & Inclusion Matrix

#### STAGE 1. Attraction and recruitment process

##### Goal 1.1: Diversifying recruitment

This goal aims to eliminate bias from the way in which we attract and recruit new employees.

OBJECTIVE	ACTIONS TO REACH EACH OBJECTIVE	REVIEW AND MEASUREMENT
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1. Identify what diversity is presently coming through the recruitment process	<ul style="list-style-type: none"> <li>▪ Review diversity data across applications, interview stage and successful offer.</li> <li>▪ Flag the split between majority and underrepresented groups at each stage to identify diversity gaps in the workforce of the firm. Compare these to levels in your current labour market.</li> <li>▪ Consider setting targets to increase representation across the firm at different professional levels and to improve diverse hiring numbers.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Use this data to establish a benchmark and starting point, to be reviewed six months after changes have been implemented.</li> <li>▪ Consider setting longer-term targets to drive accountability and achieve levels of representation for different diverse groups.</li> </ul>
2. Ensure job advertisements are inclusive	<p>Before the job is advertised:</p> <ul style="list-style-type: none"> <li>▪ objectively define the law firm's needs in terms of skills, qualifications and professional experience to ensure recruitment focuses on skills and not on an individual's personality or background;</li> <li>▪ write job descriptions and job posts that are actively inclusive and mitigate for bias; and</li> <li>▪ include the importance to the firm of valuing diversity and inclusion in your job posts.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Monitor jobs advertised in the last six months to assess if the guidance has been followed consistently.</li> <li>▪ Spot-check job ads for inclusion of D&amp;I in the content.</li> </ul>

<p>3. Source a diverse talent pool through where and how you advertise your job roles</p>	<ul style="list-style-type: none"> <li>▪ Offer paid internships to diverse candidates. This can be supported by working with local non-governmental organisations (NGOs) that support diverse recruitment in your location. Consider leveraging existing charity connections. One potent option would be disability charities, which frequently will have a recruitment initiative.</li> <li>▪ Encourage your diverse employees to refer their connections within under-represented communities.</li> <li>▪ Include flexible options and work-from-home detail in the advertisement where these are offered.</li> <li>▪ Utilise recruitment agencies that promote inclusivity and diversity, requesting a focus on providing a diverse slate of candidates for all roles.</li> <li>▪ Advertise internships and roles through diverse publications appealing to diverse demographics.</li> <li>▪ Build broad university and college relationships to ensure you are accessing a broad range of talent and not just alumni from one institution, diversifying the range of 'target universities'.</li> <li>▪ Target university programmes that support diverse candidates.</li> <li>▪ Promote and advertise internships at colleges and universities with diverse student bodies.</li> <li>▪ Engage with diverse societies in universities.</li> <li>▪ Post advertisements on social networks and legal newspapers promoting D&amp;I, making it clear such values are promoted within the organisation.</li> <li>▪ Organise networking events with specific associations that promote D&amp;I.</li> <li>▪ Use role models to empower minorities and view themselves in valued positions during their professional career. Publicise the 'life stories' of role models on the website of the law firms in question. The more senior the better, but critical is enabling diverse recruits to imagine themselves in leadership roles. Organise mentorships between diverse leaders and role models, and incoming recruits.</li> <li>▪ Participate in job fairs. These events should not be restricted to large cities/universities. Make sure role models represent the law firm at job fairs.</li> <li>▪ Be sure that your website is clear that D&amp;I is supported and contains all the relevant information in a clear and concise way. Dedicating a page to D&amp;I can be an impactful way of doing this.</li> <li>▪ Collaborate with local legal recruitment websites and organisations that promote various initiatives like women in the workplace, LGBTIQ+ inclusion or non-discrimination at work.</li> <li>▪ Consider implementing apprenticeship programmes where available to take future talent directly from secondary level education. These programmes will allow candidates to learn on the job, having their legal qualifications sponsored by the firm.</li> <li>▪ Consider providing scholarships or maintenance grants for disadvantaged students who receive job offers from law firms, funding stages of their further study or education given that legal qualification often involves considerable time and expense.</li> <li>▪ Consider providing opportunities tailored to diverse students, such as essay competitions or negotiation competitions. These will provide students from disadvantaged backgrounds with invaluable legal experience, enabling them to stand out in a competitive hiring market, and further the profile of the firm amongst diverse candidates.</li> </ul>	<p>Implement a regular review of new tactics on an at least semi-annual basis. Areas to assess:</p> <ul style="list-style-type: none"> <li>▪ has the promotion for diverse candidates been successful? Are more diverse candidates applying to roles in the firm?;</li> <li>▪ are diverse employees referring potential candidates?;</li> <li>▪ what programmes were identified? Were any candidates successfully recruited from these programmes? If not, and where possible, seek input from external programme partners to improve recruitment;</li> <li>▪ review the recruitment process, review the list of questions, read the minutes of interviews, check for irregularities, and collect feedback from the candidates;</li> <li>▪ review and analyse the feedback forms;</li> <li>▪ during the recruitment process, ask candidates to confirm how they became aware of the firm, noting, in particular, any candidates citing it was through any of the pathways used by the firm, whether it was a job fair or D&amp;I event; and</li> <li>▪ assess which avenues were most effective and analyse why this was the case.</li> </ul> <p>Also note if any role models were mentioned by candidates, and whether they resonated with them or were inspiring.</p>
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4. Assess and evaluate applications considering D&I goals (eg, targeting underrepresented groups)	<ul style="list-style-type: none"> <li>Consider removing elements of the CV or application that might identify the candidate as being from a specific group, (for example, name, university, school) to avoid potential bias. This is commonly referred to as blind recruiting.</li> <li>Assess CVs to understand how a candidate's school background, address, or any personal details they share on their CV might trigger their unconscious bias. This can involve using bespoke software that has been developed for major law firms and companies. This recruiting software allows recruiters to see where a student has achieved academic grades against the odds, or amidst adverse circumstances.</li> <li>Provide a reminder of this training as close to interview time as possible; for example, providing a quick guide on how to overcome unconscious bias in performance appraisals just before performance appraisals are due to take place.</li> <li>Assess the final list of candidates identified for interview to ensure that diverse candidates are included and well represented.</li> </ul>	<p>Independent periodic review of all CVs received should be completed to confirm if diversity objectives have been applied correctly and to gather the following information:</p> <ul style="list-style-type: none"> <li>if CVs from underrepresented groups were available for review, what proportion were shortlisted for interview?; and</li> <li>were specialised programmes leveraged and given appropriate attention?</li> </ul>
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OBJECTIVES	ACTIONS TO REACH EACH OBJECTIVE	REVIEW AND MEASUREMENT
5. Create and highlight company policies that appeal to diverse employees	<ul style="list-style-type: none"> <li>Ensure all existing policies are reviewed and updated to be fully inclusive, such as health assistance/insurance for same sex partners in line with opposite sex partners or ensuring basics such as maternity leave are to a high standard.</li> <li>Consider new policies around enhanced, gender-balanced parenting leave, menopause supports, paternity leave and other non-standard policies which will promote the firms as industry leaders rather than industry followers. Firms should view this as an option to attract the best talent, through fostering the best possible culture.</li> <li>All bullying, anti-discrimination and harassment policies should include a D&amp;I element to safeguard any complaints made by minority or diverse groups.</li> <li>It is vital that the policies that exist at the firms do not create barriers for anyone from a diverse background. When a candidate is considering a position at a firm, it should only be the job that they are considering and not their acceptance into the culture of the firm or whether the policies are inclusive.</li> </ul>	<ul style="list-style-type: none"> <li>Reviews of all policies should be conducted periodically, and at least annually, to not only update them for changes in the legal industry, but with a D&amp;I viewpoint and outlook.</li> <li>Firms should ask themselves what they can do better and what enhanced policies might be a good fit for their market</li> </ul>

### Further resources

These articles highlight the ways that bias can appear in the recruitment process:

'How Gender Bias Corrupts Performance Reviews, and What to Do About It' | *Harvard Business Review*

'When Blind Hiring Advances DEI — and When It Doesn't' | *Harvard Business Review*

'Are Your Job Descriptions Biased?' | LinkedIn

Consider also whether implementing quotas could be useful for your firm:

'Gender balance quotas: The key to gender equality?' | IBA

## Goal 1.2: Ensuring a positive, consistent and inclusive interview experience

The purpose of this goal is to ensure that the interview process is designed to help all candidates feel comfortable during their interview and to demonstrate their full potential to the firm.

OBJECTIVE	ACTIONS TO REACH EACH OBJECTIVE	REVIEW AND MEASUREMENT
1. Prepare the interview questions in advance	<ul style="list-style-type: none"> <li>Carefully choose questions to ensure the candidates are only asked relevant questions related to the skills and competencies required for the job, and ensure all candidates are asked the same questions.</li> <li>Check local discrimination, privacy and General Data Protection Regulation (GDPR) rules. Familiarise recruiters with questions they may not ask on potentially discriminating aspects (family status, age, sexual orientation, etc).</li> <li>Remind recruiters to focus only on testing for the ability and potential to perform the role.</li> </ul>	<ul style="list-style-type: none"> <li>When reviewing feedback forms, note any comments on the questions the candidate was asked.</li> <li>Periodically review the standard questions and update accordingly, in particular when relevant and useful feedback has been received in this context</li> </ul>

OBJECTIVE	ACTIONS TO REACH EACH OBJECTIVE	REVIEW AND MEASUREMENT
2. Explain how the interview will be conducted/give guidelines prior to it	<ul style="list-style-type: none"> <li>Provide advance information about the open vacancy, how the interview will be conducted and what the firm is looking for.</li> <li>Ask if the candidate requires accommodations at interview such as requiring a sign language interpreter.</li> <li>Create a checklist of items to be shared and highlighted prior to the interview.</li> <li>Where appropriate, consider equitable measures such as funding travel costs for those candidates spending their time and money to travel for a long-distance interview.</li> </ul>	<p>As interviews arise:</p> <ul style="list-style-type: none"> <li>review checklist and update following any relevant feedback from interviewer and from candidates.</li> </ul>
3. Involve diverse members of the firm in the recruiting process, especially where the team has members from under-represented groups	<ul style="list-style-type: none"> <li>Ensure diverse colleagues are not overtaxed in conducting interviews and in the overall recruitment process, especially where this may be one or two members of the firm.</li> <li>As part of this strategy, introduce diverse members of the team to the recruiting process, and where possible ensure the interview panel is diverse and represents a range of backgrounds.</li> </ul>	<p>During the recruitment process, ask the candidates that are hired for feedback on the diversity of the panel's composition.</p>
4. Conduct a fair interview and be empathetic	<ul style="list-style-type: none"> <li>Provide staff with unconscious bias in recruitment training before they are qualified to conduct interviews. Ensure this training is not merely 'tick-box' but is carried out by high-quality and reputed experts.</li> <li>State the goals and values of your organisation and the expectations of the candidates. This clear guidance will assist their preparation and development of relevant skills and encourage transparency.</li> <li>Provide clear and complete information on the law firm, the people and the services provided.</li> <li>Interviewers must not make judgements on the candidate outside of testing competencies required for the role and specifically must avoid any consideration of gender identity, sexual orientation, marital status, religious beliefs, or any other characteristics which are not relevant to a person's ability to do the job advertised.</li> <li>Consider the room where you are interviewing. For example, if you are aware the candidate is neurodiverse, ensure there are no unnecessary noises, flickering lights, that the room is not too cold or too warm, or other</li> </ul>	<p>As interviews arise:</p> <ul style="list-style-type: none"> <li>pay particular attention to feedback forms in regard to a fair interview; and</li> <li>note any complaints or issues with the interview process which could be managed better, and consider updating the interview process or changing it.</li> </ul>

	<p>distractions which can impair their ability to complete the interview successfully.</p> <ul style="list-style-type: none"> <li>▪ Provide training for managers on neurodiversity awareness to improve their ability to accurately assess those who may not be aware of social cues.</li> <li>▪ If you are interviewing a person in the presence of a sign language interpreter, ensure you ask the questions directly to the candidate and not the interpreter. When the candidate is answering the questions, even through sign language, keep focus on the candidate and not the interpreter. You will hear the interpreter and you will react while facing the candidate.</li> <li>▪ Make interviewers aware of the use of correct pronouns.</li> <li>▪ Provide interviewers with a consistent template to include the pre-agreed questions and provide them with space to record their scoring for the candidate. This standardisation should ensure ease of comparison, but also work to avoid subjective biases influencing the hiring process.</li> </ul>	
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OBJECTIVE	ACTIONS TO REACH EACH OBJECTIVE	REVIEW AND MEASUREMENT
5. Post-interview assessment	<ul style="list-style-type: none"> <li>▪ Encourage all interviewers to complete their individual scoring of candidates before they discuss the candidate collectively.</li> <li>▪ Retain documentation and notes captured by the interviewer as part of the interview process.</li> <li>▪ Monitor diversity of candidates who are offered roles as a result of interview to ensure continued representation.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Periodically monitor the decision process where interview panels are used by asking members of the panel how the process worked.</li> </ul>
6. Give and gather feedback to/from all the candidates	<ul style="list-style-type: none"> <li>▪ Give feedback to candidates, and collect feedback from them on the interview and the selection process.</li> <li>▪ Ask candidates to complete feedback forms following the process regarding their experience of inclusiveness and diversity during the process.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Monitor whether feedback is provided in a timely manner (within one week of interview), through the post-interview candidate feedback forms.</li> </ul>

## STAGE 2. Induction period

### Goal 2.1: Become part of the law firm

The purpose of this goal is to support firms in building inclusion and a feeling of belonging from the beginning of an employee's engagement with the firm.

OBJECTIVE	ACTIONS TO REACH EACH OBJECTIVE	REVIEW AND MEASUREMENT
1. Review welcome kits, employment conditions and promote internal support groups to welcome new colleagues	<ul style="list-style-type: none"> <li>• Deliver a welcome package with details of D&amp;I initiatives.</li> <li>• Draft a welcome kit that includes a brief presentation of the law firm, internal policies, goals and initiatives. It is important to state that prejudice and discrimination is not allowed in the firm, and D&amp;I is not only supported but also celebrated.</li> <li>• Organise a D&amp;I onboarding session to the newly hired team members. This session would explain the D&amp;I initiatives, processes, coverage and available action routes.</li> </ul>	<ul style="list-style-type: none"> <li>• Monitor turnover of colleagues within the first six months.</li> <li>• Include questions in the employee survey, where one exists, to monitor colleagues' awareness of the firm's D&amp;I activities. Review this data by tenure.</li> </ul>

	<ul style="list-style-type: none"> <li>• Organise specific training activities (eg, team building, etc) and follow-up meetings.</li> <li>• Organise welcome events (if necessary, also in a virtual mode) to include the new professionals/staff.</li> <li>• Create time for new staff members to meet with other new staff members so they can grow into the firm together. This could be done through training sessions and collaborative projects. It may help them feel more comfortable in a new environment as they won't feel alone.</li> <li>• Ensure employees are aware and encouraged to highlight if they require any accommodations to support them to fulfil their potential – for example, if they have a physical disability or are neurodiverse.</li> </ul>	
2. Coach the existing team on how to onboard new hires in a welcoming, inclusive way	<ul style="list-style-type: none"> <li>• Make existing team members, especially managers/supervisors, aware of any accessibility requirements a new staff member might have.</li> <li>• Identify a 'welcome buddy' on the team to show the new colleague around and introduce them, bring them to lunch and show them how the dynamics of the office operate.</li> <li>• Meet with the new colleague at key milestones to get to know them better and check in on how they are getting on. Don't wait for the exit interview to get key information.</li> </ul>	<ul style="list-style-type: none"> <li>• Leverage the employee survey to gauge satisfaction in colleagues in the first six months of employment.</li> <li>• Where an employee survey does not exist, seek feedback directly from new colleagues at the six-month milestone.</li> <li>• Monitor satisfaction and engagement by diversity characteristic where possible.</li> </ul>
3. Establish internal support groups	<ul style="list-style-type: none"> <li>• Support colleagues to organise and establish groups according to their interests/needs (LGBTIQ+ rights, ethnic minorities, etc) to provide them with a safe and friendly environment from the beginning.</li> <li>• Establish mentoring and sponsorship programmes within the organisation to support ongoing development.</li> <li>• Ensure adequate recognition for D&amp;I work. This should include: <ul style="list-style-type: none"> <li>○ formalised D&amp;I roles with an official role or job title, eg, D&amp;I governance lead, sponsor-of a D&amp;I initiative or employee network chair;</li> <li>○ redistributing existing workloads to allow adequate time for D&amp;I responsibilities (or consider introducing billable credits for D&amp;I work);</li> <li>○ include D&amp;I work in performance and appraisal discussions like employee network chairs, champions, mentors or reverse mentors; and</li> <li>○ encourage line managers to acknowledge what they are doing and how it contributes to the firm.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Monitor engagement levels with employee networks, where they exist, through their membership and engagement with events.</li> <li>• Monitor satisfaction with these groups and gauge potential interest in establishing through the employee engagement survey where one exists.</li> </ul>

### Further Resources

These articles illustrate the importance of inclusive on-boarding:

'Coaching and Mentoring' | CIPD

'Why People Really Quit Their Jobs' | *Harvard Business Review*

'Women Lawyers' Committee: Mentorship Toolkit' | IBA

## Goal 2.2: Training and formation

In this goal we are aiming to provide consistent and inclusive training to both new and current employees.

OBJECTIVE	ACTIONS TO REACH EACH OBJECTIVE	REVIEW AND MEASUREMENT
1. Assign mentors to new employees	<ul style="list-style-type: none"> <li>Introduce a buddy system for new employees. Pair them with an existing member of the firm outside the team they will be working with (ideally someone with a different background).</li> <li>Encourage the new staff member and their buddy to meet regularly to discuss the firm, answer any questions or provide advice.</li> <li>This may be in addition to the welcome buddy proposed above, who is introducing the new colleague around and is usually a member of the same team.</li> </ul>	<ul style="list-style-type: none"> <li>Within one week of start date, check in with new colleagues to ensure the process agreed for induction has been consistently followed.</li> <li>Monitor this compliance over time and over a broad sample of new colleagues to determine any disparity in experience for diversity colleagues.</li> </ul>
2. Give regular feedback on the work done and explain how to improve.	<ul style="list-style-type: none"> <li>Organise periodic meetings between each colleague and their buddy to talk about firm life and work-life balance.</li> <li>Give new colleagues the opportunity to express their needs and listen to them on a periodic basis.</li> <li>Managers/supervisors should meet with the new colleague after one month of employment, three months, six months and then annually.</li> <li>Monitor the integration of new staff members closely. If there are any issues, address these as soon as possible.</li> <li>During the meetings, the staff member should be asked if they feel there is anything the team or the firm could do better to be more inclusive.</li> </ul>	<p>Within one month, three months and six months of start date:</p> <ul style="list-style-type: none"> <li>meetings should be recorded by the manager/supervisor and topics discussed;</li> <li>any suggestions need to be followed up and evidence provided that they have been considered; and</li> <li>responses to any issues raised or ideas shared should be provided to the new staff member in a timely manner so that they are aware that they are being heard.</li> </ul>
3. Mitigate for unconscious bias in the workplace and build awareness	<ul style="list-style-type: none"> <li>While unconscious bias training has been criticised, it can have an important impact in the workplace if it's treated as a meaningful activity rather than a tick-box exercise.</li> <li>Make sure that each colleague – regardless of seniority – has access to unconscious bias training and understands the behaviours that drive inclusion.</li> <li>Make sure that each colleague is aware of the firms' policies in relation to the elimination of bullying and harassment and collect feedback on the policies on a periodic basis, by diversity characteristic where possible.</li> <li>Any biased behaviour, generalisations or assumptions made about a person need to be addressed in the moment in a respectful way, by trained leaders and colleagues.</li> <li>For more serious issues, or if unsure how to handle these situations, managers/supervisors should request advice from HR or their reporting line manager.</li> </ul>	<ul style="list-style-type: none"> <li>Unconscious bias training, including how to mitigate for bias, should be introduced for all senior managers and organised as soon as possible following the implementation of the Action Plan.</li> <li>Reminder and refresher training opportunities should be provided as new managers are appointed.</li> <li>Unconscious bias and inclusion training can be rolled out to the firm as a whole.</li> <li>Any reports of biased behaviour through individual staff members or groups need to be treated seriously and recorded.</li> </ul>



		<ul style="list-style-type: none"> <li>Unconscious bias training should be measured against recruitment statistics in the firm to assess whether the training is having an impact.</li> </ul>
4. Provide managers and leaders with training on inclusive leadership	<ul style="list-style-type: none"> <li>Support managers/supervisors to understand their responsibility to show equal attention to all members of the team. Remind them of the tendency for affinity bias or confirmation bias to drive them to have favourites.</li> <li>Encourage leaders to cultivate relationships with all members of the team as individuals to support a culture of inclusion.</li> <li>In meetings, the partners or senior members of support staff should be reminded to include all members of the team. They should gently encourage all team members to contribute. If a team member does contribute, ensure they are given time to say what they want and that other team members treat them with respect and listen to what they have to say.</li> <li>Managers/supervisors must allocate workload evenly and every member of a team should be given equal opportunities to contribute to special projects.</li> <li>Ensure that managers understand the business case for diversity. In a globalised world, clients from a range of diverse backgrounds, working with a range of clients increasingly select law firms based on diversity. This will help to avoid diversity fatigue and ensure diversity is not a 'tick box' exercise, but has a positive, business case established within the firm.</li> </ul>	<ul style="list-style-type: none"> <li>Monitor training completion levels.</li> <li>Monitor engagement with additional just-in-time reminder tools and resources provided to managers.</li> <li>Monitor manager and leader relationships with teams through an employee survey, where one exists.</li> <li>Provide opportunities for colleagues to give feedback to one another on the culture they are creating.</li> </ul>

#### Further resources

For factors to consider when conducting unconscious bias training and whether this is the right course of action for your firm:

'The Complicated Battle Over Unconscious Bias Training' | BBC

For examples of training:

'Bullying and Sexual Harassment Training' | IBA

## STAGE 3. Career progression and promotion

### Goal 3.1: Meritocratic advancement

This goal aims to establish a bias-free work environment

OBJECTIVE	ACTIONS TO REACH EACH OBJECTIVE	REVIEW AND MEASUREMENT
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1. Promote equal opportunities and expressly reject any discrimination based on gender, age, disability, nationality or culture, race, religious beliefs, thought and sexual orientation, or any other personal, family, economic or social situation	<ul style="list-style-type: none"> <li>▪ Monitor participation in team-building and team-fostering activities and trainings. Recognise and reward achievement.</li> <li>▪ Facilitate collaboration between individuals from different generations, so that all can bring something to the table and enrich their work with their different perspectives.</li> <li>▪ Create an environment where feedback is encouraged and embraced. Create a space for reverse feedback, where lower-level employees provide feedback to upper-level managers and supervisors in an appropriate and respectful manner. This could be through a general survey of manager performance where individuals are kept anonymous. You may also consider a reverse mentoring programme.</li> <li>▪ Provide training and development on inclusion and unconscious bias with reminders, or just-in-time reminders at key points in the promotion cycle.</li> <li>▪ Any reports of discrimination or unfair treatment need to be taken seriously.</li> <li>▪ Create a whistleblower policy for any staff member that is aware of issues that are not being reported.</li> <li>▪ Make sure the workload is evenly distributed in respect of attractive, high-visibility projects, or promotable opportunities. One solution is a 'fair allocation of work committee', to ensure that senior lawyers do not simply choose junior lawyers they like. Instead, there is a system in place ensuring that work is distributed fairly, considering diversity as one variable amongst several.</li> </ul>	<p>Within one month of start date and ongoing throughout employment at the firm:</p> <ul style="list-style-type: none"> <li>▪ supervise the activities, working hours, achievements, growth prospects, seniority level and potential of each professional/staff member;</li> <li>▪ note progression of under-represented groups;</li> <li>▪ any feedback to be reviewed and analysed. Suggestions should be taken seriously and followed up until implemented or reasons recorded for not implementing; and</li> <li>▪ establish a process for handling a whistleblower report that is confidential and managed with sensitivity.</li> </ul>
2. Establish a career progress schedule for each colleague with clear expectations and goals	<ul style="list-style-type: none"> <li>▪ Clearly state what is required/needed for a career advancement in terms of experience/billable hours/deals concluded/clients' feedback/colleagues' feedback: objective data.</li> <li>▪ Organise initial and then periodic reviews to check on personal ambitions.</li> <li>▪ Set concrete goals for career advancement (according to law firm's needs and people expertise, expectations and wishes).</li> <li>▪ Measure progress and adjust expectations/goals and/or policies if necessary.</li> <li>▪ Encourage all managers/supervisors to complete unconscious bias training before they conduct performance reviews of other staff members.</li> <li>▪ Conduct independent reviews of the above processes to ensure managers and supervisors are not displaying bias.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Review and analyse feedback from surveys and act where necessary.</li> <li>▪ Independent reviews of managers and supervisors to be completed annually.</li> <li>▪ Note any complaints, issues, or suggestions from team members on the review process and address accordingly.</li> </ul>

OBJECTIVE	ACTIONS TO REACH EACH OBJECTIVE	REVIEW AND MEASUREMENT
3. De-bias the performance management process	<ul style="list-style-type: none"> <li>▪ Provide just-in-time training to supplement overall training on inclusion and unconscious bias to remind reviewers of the prevalence of bias in the performance appraisal activity.</li> <li>▪ Implement a calibration process to encourage senior leaders to validate their ratings against each other.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Monitor completion of review policies and procedures across the employee life to identify where nudges may be appropriate.</li> <li>▪ Monitor if managers are accessing additional nudges through access to the documents.</li> <li>▪ Monitor results of processes to determine if more equitable results are being achieved.</li> </ul>

4. Collect clients' feedback	<ul style="list-style-type: none"> <li>▪ Prepare a survey to collect clients' feedback.</li> <li>▪ Review and analyse the feedback collected.</li> <li>▪ Keep in mind that clients may display characteristics of unconscious bias.</li> </ul>	<p>Request clients complete the survey annually.</p> <ul style="list-style-type: none"> <li>▪ Complete review and analysis of the feedback within one month of receipt.</li> <li>▪ Inform relevant team members of the feedback.</li> <li>▪ Consider what steps to take if there are issues, all the time keeping in mind the D&amp;I outlook of the firm.</li> </ul>
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### Goal 3.2: Work-life balance

Promoting a balanced approach to work and life has been shown to promote a more inclusive environment for diverse individuals.

OBJECTIVE	ACTIONS TO REACH EACH OBJECTIVE	REVIEW AND MEASUREMENT
1. Help scheduling the agenda according to work and personal needs	<ul style="list-style-type: none"> <li>▪ Where possible, coordinate colleagues' agendas according to their needs in advance: children, health, hobbies, etc.</li> <li>▪ Don't restrict this flexibility to those with families, acknowledging that it is not just those with parenting responsibilities that require flexibility, but those with caring responsibilities, among other duties.</li> <li>▪ Take a flexible approach to office hours, hybrid hours or work-from-home hours, and ask individual staff members which structure works best for them.</li> <li>▪ Ensure the <i>force majeure</i> policy is up to date and can accommodate staff members in times of emergency or stress.</li> <li>▪ Include policies and practices to support carers to continue to work while performing their caring role.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Establish policies and preferred work structures within one month of implementing the Action Plan.</li> <li>▪ For new starters, timeframe of one month from start date to complete this process.</li> </ul>
2. Join and support inclusive initiatives	<ul style="list-style-type: none"> <li>▪ Celebrate bank holidays/religious festivals of all cultures and Pride Month.</li> <li>▪ Allow flexibility in the celebration of religious holidays.</li> <li>▪ Have clear internal policies on maternity, paternity, parental leave, part time working, menstrual leave, etc.</li> <li>▪ Allow time for staff members to attend meetings of their chosen religious, cultural and/or ethnic group, and avoid discouraging their attendance due to work commitments under reasonable work conditions.</li> <li>▪ Support initiatives suggested by the various groups to demonstrate that they are valued and welcomed by the firm.</li> <li>▪ The firm should not leave it to the various groups to develop D&amp;I initiatives: the D&amp;I officer should be tasked with firm-wide D&amp;I initiatives for roll out to all staff members.</li> <li>▪ Encourage different support groups to collaborate with each other on initiatives the firm has created, to promote integration across these groups.</li> <li>▪ Organise mental wellbeing training programmes with external experts on a periodic basis.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Ongoing basis.</li> <li>▪ D&amp;I officer to ensure all groups have an equal voice regardless of size through periodic consultation with each group.</li> <li>▪ Monitor take-up of parental leaves where available to ensure they are taken up by men and by women.</li> </ul>

3. Encourage smart working	<ul style="list-style-type: none"> <li>Where staff feel overworked, be sensitive and coordinate with the employee on how best to manage their workload. Use feedback to implement mechanisms to avoid staff feeling overworked in the future.</li> <li>The private time of employees should be respected and responses should not be expected outside of working hours.</li> <li>Respect local laws regarding disconnection.</li> </ul>	
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#### Further resources

‘Mental Wellbeing in the Legal Profession: A Global Study’ | IBA

‘Young Lawyers Report 2022’ | IBA

‘Us Too? Bullying and Sexual Harassment in the Legal Profession’ | IBA

## STAGE 4. Ending the work relationship

### Goal 4.1: Keep a good relationship afterwards

Ending of the work arrangement can happen for many reasons, including voluntary and involuntary termination. Each of these scenarios require separate considerations.

OBJECTIVE	ACTIONS TO REACH EACH OBJECTIVE	REVIEW AND MEASUREMENT
1. Involuntary termination – there must be rules on termination and processes to ensure compliance with procedure	<ul style="list-style-type: none"> <li>Communicate the firms’ intentions as soon as possible, providing written communication of what will happen next to give the terminating colleague the possibility to find a new job.</li> <li>Ensure the process of determining that a termination is required is fair and unbiased by requiring written evidence of why this action is required from the relevant manager.</li> <li>Ensure all relevant procedures to correct underperformance have been consistently followed.</li> <li>Provide a reference letter if needed.</li> <li>Help, if it is possible, in outplacement and reallocation.</li> <li>Keep in touch (invitations to events, etc).</li> <li>Where terminations are not based on performance but on business circumstances, ensure that a fair assessment method has been consistently applied in selecting candidates for termination.</li> </ul>	<ul style="list-style-type: none"> <li>Supervise the termination of the employment relationship and compliance with the relevant terms.</li> <li>Where involuntary terminations have occurred, monitor and audit the process followed to ensure consistency and fairness.</li> </ul>
2. Voluntary termination	<ul style="list-style-type: none"> <li>Conduct exit interviews and use these reports as tools to improve the work environment for the remaining employees.</li> <li>Encourage colleagues to keep in touch through alumni networks where present.</li> <li>Alumni initiatives may be considered to maintain contact with former colleagues, providing support and mentoring to under-represented professionals, while also developing business opportunities.</li> <li>If a working relationship ends, outside of any legal proceedings, with a D&amp;I element such as feeling unheard, discriminated against, or marginalised based on any diversity characteristics, lessons need to be learned and those involved need to be challenged.</li> </ul>	<ul style="list-style-type: none"> <li>Measure the take up of alumni opportunities by diversity characteristics if possible.</li> </ul>

<b>Further resources</b>
The IBA Guide for Establishing and Maintaining Complaints and Discipline Procedures

## Goal 4.2: Learn from experience

The ending of a relationship with a colleague provides an opportunity for learning for the firm.

<b>OBJECTIVE</b>	<b>ACTIONS TO REACH EACH OBJECTIVE</b>	<b>REVIEW AND MEASUREMENT</b>
1. Analysis of the employment relationship	<ul style="list-style-type: none"> <li>Review record of advice and career development undertaken with the candidate in a voluntary termination and capture suggestions to improve in the future.</li> </ul>	<ul style="list-style-type: none"> <li>Use lessons learnt to improve/enhance own policies and methodology.</li> </ul>
2. Leverage data to observe and learn from trends	<ul style="list-style-type: none"> <li>Assess trends from voluntary termination to determine if those with diverse characteristics are more or less likely to leave than those from the majority group.</li> <li>Any feedback from exit interview should be carefully assessed from a D&amp;I perspective.</li> <li>Feedback on 'culture' is critically important. If a positive culture is not maintained, there is a risk of top talent eventually leaving a law firm for a more positive environment.</li> </ul>	<ul style="list-style-type: none"> <li>Monitor retention data by diversity characteristics to determine if the voluntary leavers' population is consistent with the overall workforce. Are you, for example, proportionately losing more women than men?</li> </ul>