

THE MONTH

February 2022



INVEST IN YOUR TALENT

*"You can't wait until they
resign and then offer to fix
the problem."*

LOOKING BEYOND
LEGAL

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MEMBERS FORUM

WHAT DOES THE
FUTURE OF
WORK LOOK
LIKE?

THE MONTH

A monthly magazine with key takeaways, highlights and content driven by our community.

For our February edition, we have chosen the theme of 'Investing in your Talent'. In this issue we have explored what it takes to build and develop successful in-house teams, you will be inspired by insights from our members and ambassadors. They discuss the secret to attracting and retaining talent, the key to creating highly effective global teams and strategies to improve employee health and wellbeing.

Given the theme for this month, we had to mention that we are hosting our GLL Mini MBA in Boston on the 15 - 18 February - there is still time to [register](#)! Speakers at the event will include Lakeshia Ekeigwe, International Leadership Coach & Consultant for Lawyers, Mihir A. Desai, Professor of Finance at Harvard Business School and a Professor of Law at Harvard Law School, and Richard Jolly, Adjunct Professor of Organisational Behaviour at London Business School.

On page 8, we have selected leadership insights from Professor Richard Jolly, to provide you with an insight into the types of topics covered and learnings that you can expect from our Mini MBA's. **On page 22**, you can find the links to a selection of our favourite Virtual Mini MBA's that we have recently hosted.

Grab a cup of coffee, turn off your emails and catch up with what's going on in your community.

We hope you will find this a useful and enjoyable read. If you are ever interested in including any content then please do get in touch with Abigail Harris (aharris@alm.com).



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The Great Resignation - Opportunity to Gain Ground in the Talent War

Corporate legal departments are arguably in a much better position than law firms to offer young lawyers hands-on experience, personally fulfilling and professionally challenging work and, yes, maybe even something resembling work-life balance.

THE TREND:

The legal industry talent war is more cutthroat than ever, as attorneys and legal professionals across industry sectors reassess their careers amid the pandemic and law firms continue upping the ante on salaries and bonuses.

While in-house legal departments don't have seemingly limitless stockpiles of money to throw at potential hires and existing employees, they do have a potential advantage over their law firm competitors when it comes to nearly everything else.

THE DRIVER:

Before we dive in, it should be noted right up front that [money is still the No. 1 priority](#) for most young lawyers. We also know that in-house departments have been struggling as of late to compete with law firm pay scales. It must also be emphasized that any view of in-house work as somehow being easier than law firm life was

always pretty misguided and is [definitely not accurate](#) in the year 2022.

Still, corporate legal departments are arguably in a much better position than law firms to offer young lawyers hands-on experience, personally fulfilling and professionally challenging work and, yes, maybe even something resembling work-life balance.

THE BUZZ:

As Heather Nevitt wrote in a [recent Law.com Barometer newsletter](#), "General Counsel have been tasked as change makers within their organization. As part of this, they are expected to lead by example and help establish an ethical company culture that is deeply embedded and embraced throughout the company."

Marcy Cohen, managing director, general counsel and head of regulatory affairs of ING Americas, recently outlined that the GC can

be a business driver as well a moral compass—and they shouldn't be exclusive to each other.

"The GC plays a dual role of being both the conscience of the company and is a key enabler of business growth and success. ... It is now well established that the purpose of corporations goes beyond merely enhancing value for shareholders and serving customers. Companies are also expected to serve their communities and benefit society overall."



The opportunity to help play that dual role is a major selling point for in-house departments looking to hire top talent in a tight market.

But feel-good work is not enough. It also needs to be interesting.

Lisa Harrington held in-house roles for such firms as Cigna and NBCUniversal Media for 18 years before she joined Cooley in 2018, when the firm created a role for her that involved serving as outside general counsel to corporate clients. She returned to in-house in 2020 and now is chief legal officer at Viant Technology in Irvine, California.

Harrington [recently told Law.com](#) that, while she "really loved" her time at Cooley, she preferred being in-house where she is "providing a combination of both legal and business advice."

Bloom Credit General Counsel David Breland said he likes that in-house roles allow him to focus on one client, so that he understands every aspect of the business. He also appreciates that being in-house transformed his legal career into more of a business career and has helped him develop a reputation inside of the company as a trusted adviser.

"When you're in private practice, you have a group of clients, and you try your best to know all you can know about those clients and to learn their business. But there's a limit to how close you can get to

the business, because the business model doesn't allow for that," he said.

Granted, those comments come from chief legal officers, not more junior in-house attorneys. But, given the budgetary pressures that seem to perennially intensify, most corporate legal departments are presumably not in a position to let anyone languish with boring, low value work. And those legal departments should be leading with that in their recruiting efforts.

Meanwhile, for those in-house operations that aren't spreading around meaningful, engaging work, it's time to reassess their approach.

Stephanie Corey, general partner at UpLevel Ops, [recently told Law.com's Knockless](#) that boosting efficiency is key to attracting and retaining talent, as well as critical to controlling costs at a time pay is rising and outside counsel fees are climbing.

"GCs and CLOs understand that to scale the delivery of legal services to their companies, and to reduce frustration within their teams in order to retain talent, they need to have clean operations so their lawyers are working at their highest and best use," she said.

She said it's all about "getting legal out of places where it doesn't belong, pushing lower-valued matters to lower-cost firms, and outsourcing and automating where possible."



Recruiters and other legal department experts [told Law.com's Mach](#) that, given the ultracompetitive talent market and a critical need to halt worker burnout, they wouldn't be surprised if more companies began offering in-house lawyers the opportunity to go on sabbatical.

"Of what people are referencing as reasons to leave [their jobs] over the past year, the majority are not related to money," said Kathryn Holt Richardson, founder and principal of HR Legal Search. "People feel unseen, overwhelmed, just with balancing different pandemic responsibilities."

In the legal industry, "there's been just a significant amount of turnover," Richardson added. "There could be less turnover ... if there were more sabbatical options in place."

In fact, sabbatical options are more common at law firms, though they're not widely used.

[Read the full article here.](#)

CREATING HIGHLY EFFECTIVE TEAMS ACROSS THE GLOBE

Here, members share their thoughts on whether it is possible to create highly effective teams scattered across the globe and working remotely. They also discuss what skill sets are needed to create a cohesive team in the new working world.

Our ideas around efficiency and effectiveness need to change

"The pandemic has proven to us that many of our ideas around efficiency and effectiveness are archaic. **If expectations, targets and deliverables are clear, you have motivated and accountable self-starters and a clear alignment towards the collective goal, there should be no reason for teams to, generally speaking, be less effective in a remote environment.**

In my view, some of the skillsets include:

1. Human-centric work design and focus, empathy, resilience and a focus on performance.
2. Empathy based management and the ability for a leader to motivate and create excitement without physical "energy" or presence.
3. Recruiting individuals that can function effectively (in fact optimally) without much oversight and the counter being someone that is a self-motivator and will work with focus (despite the distractions of remote working) towards delivering the objective.
4. The ability to build effective relationships remotely – definitely a slightly nuanced skill compared to in-person relationship building.
5. Clear written communication – considering increasing communication through emails, ensuring instructions/requests and, more importantly, context and strategic relevance are clearly communicated."



- **Carina Wessels**, Executive: Governance, Legal and Compliance, Alexander Forbes

Be aware of the need for remote working capabilities

"I think there are three components to this: selection, training and communication. Obviously, Team composition matters, with regard to effectiveness, and now, **we need to be aware of and consider the need for remote working capabilities when we hire and onboard Team members.** With regard to training, we can all benefit from upgrading our skills for remote working, and these include not only technical capabilities (MUTE!) but also active listening and memorializing as well as time management. Finally, on communication, I believe it is important to work especially hard on keeping in touch beyond simply emails and Zoom. We need to reach out and chat with Team members, often, in order to keep that cohesiveness strong and also to keep attuned to potential issues that we could otherwise miss, without that extra effort."



- **Son-U Michael Paik**, Senior EVP: Risk Management (Legal, Trade & Compliance), SeAH Holdings Corporation

Communication is essential as a leader

"You can 100% have highly effective teams when they are scattered across the globe - but it takes time & development of new skills. At the last count, I have members of my team on 3 different continents and in more than 8 different countries & 5 different US states. My advice is to communicate, communicate, communicate. Always explain the thinking behind decisions you are taking as a leader so people can hear your thought processes. Try and utilise offsites & get-togethers where your budget can handle them and if not ensure regular informal zoom sessions where different members of your teams can get together. **It is 100% possible to be a super effective and groundbreaking legal group operating remotely but over-communication, transparency & some vulnerability is key.** By adopting a remote-first approach we attract more diversity into our legal teams."



- **Sarah Binder**, General Counsel, Lime

It is the results delivered not the visibility of being in office

"As I experience the changing landscape it is more a matter of acceleration than just change. Before working from anywhere became the new standard, the use of technology already transformed the way we work. Digital technology has over the years played an important part for companies to build an outstanding legal team. Enabling the team to deliver effective and cost-efficient service anytime, anyplace and anywhere. **Professionals need to be able and willing to thrive on trust-based leadership where it is the results they deliver that count and not the visibility of being in office.** From a leadership (there's no room for 'old skool' managers in the new world) perspective it is all about giving directions, building trust, camaraderie and enhancing self-esteem. It also requires what we framed #connectedtogether to make sure that cohesiveness is enhanced."



- **Max Hübner**, Managing Director, Novagraaf Netherlands

RICHARD JOLLY ON THE KEY CHARACTERISTICS OF AN INFLUENTIAL LEADER



Richard Jolly, Guest Lecturer at London Business School and Adjunct Professor of Management & Organizations at Kellogg School of Management, will be speaking this month at the GLL [US Mini MBA](#) in Boston. Here, Richard shares his research on the behaviours that will increase the general counsel's ability to influence and determine success in the boardroom.

GLL: What are the key characteristics of an influential leader?

Richard Jolly (RJ):

Influential leaders understand the levers that they can use to change the behaviour of others, but use them with integrity, rather than to manipulate.

Cialdini's research suggests there are six areas that you need to pay attention to in order to be more influential:

1. AUTHORITY – use your formal authority (position in the hierarchy; control over resources); project authority (how you dress and speak); but also be well-prepared and enthusiastic
2. SOCIAL PROOF – reference what similar others are doing to emphasise the 'wisdom of crowds'
3. LIKING – emphasis

similarities with the other person if at all possible; but also make the other people feel that you value and respect them – we like people who like us

4. RECIPROCITY – go out of your way, unconditionally, to be helpful to others, especially when there is no benefit to you – you reap what you sow in life in the long-run
5. GET YOUR FOOT IN THE DOOR – start by getting some traction, however small, and build commitment a step at a time
6. SCARCITY – emphasise that this is a moment that is special, that somehow they need to act now rather than waiting

GLL: What are the behaviours that will persuade others to want to follow a leader?

RJ: Inspirational leaders typically have six behaviours. Importantly,

these are behaviours that we can all learn, rather than personality traits.

The six behaviours are:

1. SITUATION-SENSING SKILLS – good emotional antennae to understand what others are thinking and feeling, both individually and as groups.
2. EFFECTIVE ROLE-MODELLING – act as effective role models of the behaviours they want from others.
3. MAKE OTHERS FEEL VALUED – give others their undivided attention, but listen not just to gather information, but to demonstrate deep caring.
4. ARTICULATE THE FUTURE – communicate 'why' people should want to follow you by telling stories that engage emotionally as well as rationally.
5. HAVE THE DIFFICULT CONVERSATIONS – the courage to surface issues



that others typically want to ignore; leadership is not a popularity contest.

6. BEING AUTHENTIC – reveal their personality in an appropriate way; make themselves vulnerable by revealing an allowable weakness.

It is important to create a personal brand – people don't want to follow some face-less 'robo-manager'. They want to follow a real human being.

GLL: What are the key strategies that general counsel should implement to gain allies in the boardroom and is this necessary when negotiating?

RJ: As a GC, you have the benefit of being able to focus on the long-term best interests of the organization, rather than pushing a specific departmental agenda. To get allies in the boardroom, emphasise 'higher order' needs

– appeal to their sense of what is right for the organization and its superordinate goals and ambition. Focus on 'we', not 'me'.

GLL: Why is change so difficult in organisations and how can you overcome the obstacles to ensure effective change?

RJ:

1. Change is difficult because, whilst there are always forces for change, there are typically equal and opposite forces against change. You need to understand why we shouldn't change by listening deeply to people in the organization. Even if you decide to go in a different direction to their point of view, they will be more likely to support you if they have had the opportunity to feel listened to – but be honest and open about why you are not taking their advice.
2. Almost every change leader under-communicates during
3. People are not fully rational – simply presenting the facts is never good enough. You need to engage emotionally, as well as rationally. Tell a story that resonates with your audience – it can be a personal story, a story from a customer or client, or a second-hand story.
4. Start small and build momentum – Use positive reinforcement to praise those who are changing effectively, rather than criticizing/punishing those who resist...

[Read the full interview here](#)

FUTURE THINKING - PREPARING FOR 2022 AND BEYOND

Here, our members share their insights into the latest trends and the risks that should be on the GC's radar for 2022 and beyond.

The inability of government to produce clear, unambiguous future-proofed legislation

"The private sector will continue to bear the brunt of the inability of government to produce clear, unambiguous future-proofed legislation or guidance at the pace needed, resulting in increased risk taking/litigation exposure and increased costs. We've seen that during covid where ambiguity and confusion in the law led to overspending (e.g. on ppe, PCR testing for travel, adapting offices and so on)."



- **Matt Wilson**, General Counsel, Fremantle

The company as a corporate citizen

"A continued trend, with ever-increasing focus: the company as a corporate citizen, evolving societal expectations, including ESG positioning, performance and reporting. Inventing the right hybrid/remote model for each environment – part of this is acknowledging that most legal teams are exhausted after the two years and an immediate focus on re-energising teams definitely requires focus."



- **Carina Wessels**, Executive: Governance, Legal and Compliance, Alexander Forbes

Ambiguity is here to stay

"We are likely to continue to navigate through a VUCA era: volatility, uncertainty, complexity (some would even say "chaos"), and ambiguity are here to stay. Their concrete manifestations of these elements might change but the overall trend is here to stay. Finding the signal within the noise is possibly one of the key values GCs bring to their organizations."



- **Augusto Aragone**, VP, Secretary and GC, Ingram

Inevitable changes in the workplace

"We will all need to grapple with the challenges of the inevitable changes coming in the workplace of inhouse organizations, both in terms of new attitudes of new generations and in terms of the accelerating use of digital tools and data analytics to bring value to business clients much differently than in the past. Maintaining well-being, collegiality, and skills development in a hybrid in-person/virtual work environment will be challenging. At the same time, traditional challenges general counsel deal with are in many cases at high-intensity levels, including geo-political, governance, regulatory, and cyber-security risks just to name a few."



- **Bill Deckelman**, EVP & GC, DXC Technology

Lots of fairness and equity consideration will arise

"There will be numerous issues surrounding Covid vaccine requirements, particularly in light of the recent Supreme Court ruling. And then over time as Covid wanes as a day-to-day threat, what happens to vaccine mandates? And, corporate counsel, as always, need to focus on trends and risks that most impact their industry and business. Inflation, supply chain disruption, and geopolitical conflict will all impact our companies and all their stakeholders, clients, employees and regulators. Lots of fairness and equity consideration will arise, particularly with hybrid work going mainstream. Raising questions such as who will have access to flexible work? Another interesting question will be whether firms can reduce compensation when remote workers move to places with a lower cost of living."



- **Marcy Cohen**, General Counsel and Managing Director, ING

Advances in Legaltech development

"In 2022 we will continue to see firms which have been at the forefront of legaltech development consolidate their products into everyday practices, and continue to innovate based on finding solutions for clients which can help them work smarter, faster and better in the new normal. It is likely that these innovative firms will look at what more they can do to support GCs in boardrooms by further developing platforms that can host a range of information at the click of a button, such as contracts, lease information, and information and data about team and panel firm efficiency. Contract review by AI will continue to embed in everyday practice, as AI systems become more and more knowledgeable and therefore accurate."



- **Tony Randle**, Partner, Shoosmiths

WHAT DOES THE FUTURE OF WORK LOOK LIKE?



Christopher Hurst, GLL Ambassador and Managing Director of Kingsley Green

Christopher Hurst, GLL Ambassador and Managing Director of Kingsley Green Recruitment, shares his thought and insights on 'the war for talent'.

Global Leaders in Law (GLL): What are your thoughts and insights on 'the war for talent' and 'the great resignation'?

Christopher Hurst (CH): Essentially, change breeds change and the pandemic caused a massive shift in people's life perspectives. With everyone forced to work from home, what started as a temporary response to the challenges of remote working became a seismic shift in how employees assess their working conditions. In addition to this, there was a groundswell of jobs building up and little or no active hiring because of the double-headed hydra of Covid and Brexit. As the dam burst and a torrent of opportunities, not seen since pre-Lehman, flooded the permanent and interim markets, in-house and private practice firms were forced to review salaries and working conditions including offering hybrid working as a viable ongoing option.

It is a hectic market so you need to know what you are doing.

If you are a General Counsel that is trying to retain employees you cannot afford to be slow. For example, actively ensure you are looking after your staff and offering flexible working hours; employees 'want to have their cake and eat it too'.

GLL: What advice would you offer GC's who are looking to move roles?

CH: There are three things to actively focus on, firstly it is imperative to connect with the right headhunters at the senior end of the market, then really explore and connect with your network. Finally,

connect with law firm partnerships that have CFO and CEO relationships.

GLL: In your experience, what are the things that truly retain employees?

CH: Retaining talent is all about early communication, as a leader you have to proactively ensure your employees are enjoying their job.

You can't wait until they resign and then offer to fix the problem.

You must get them before they resign, carve out clear job pathways and ensure salaries are fair in the current market

The biggest complaints I hear from someone looking for a new job are that they are working private practice hours for in-house pay. In addition, a lack of career progression, too narrow a job spec and a culture where the legal team aren't fully immersed in the wider business add to feelings of disquiet and a desire to move on.

GLL: What does the future of work look like?

CH: I have spoken to a lot of people recently who are searching for their next career move, and not one person has said they want to be in the office 5 days a week. People are requesting information about hybrid working before they ask for information on the salary- the times have changed!

GLL: Can you have highly effective teams when they are scattered across the globe and working remotely?

CH: Although challenging, it is possible to remain highly effective provided there is a clear focus on both emotional and

professional connections. It is important for communication and contact to be regular and a blend of remote and in-person face to face meetings, where possible. Without the opportunities to gain knowledge and experience through osmosis junior staff can be at a distinct disadvantage therefore attention must be paid to fostering a holistic environment that extended beyond 'Teams' into the wider community and culture.

GLL: What are your thoughts on the pay rises that we are currently seeing at law firms? Do you think these pay increases are justified? How does this impact your talent retention in-house?

CH: We have heard this all before, the situation is not new. In-house counsel are able to compete with law firms in the talent war but they will need to be creative by offering attractive salary packages, not just base salaries. Courses like MBA's and opportunities to develop personally and professionally appeal to the current breed of candidates.

Although in-house departments are unable to match law firm salaries, they will have to slightly increase the pay offered so that it is not such a significant drop for those that move in-house.

We see in-house teams have not increased their salaries for several years, yet expect the best talent, you have to move with the times and that means slightly increasing pay.

GLOBAL GC'S PERSPECTIVE ON ATTRACTING AND RETAINING TALENT

Here, our members share their insights on attracting and retaining talent.

Talk openly about structural limitations

"I have been lucky. Working within well-respected brands all with a strong sense of purpose has helped a lot. In addition, it's important to create a team that feels welcoming and that new talent wants to be part of. *As for retaining talent, take care of the team's development.* Sometimes in an organisation promotion may not be possible. Talk openly about any structural limitations and focus on the ways individuals can grow."



-Anthony Kenny, Assistant GC Corporate and CBS, GSK

You need to understand what makes your team tick

"When it comes to retention, I always think you need to make it personal. To understand what makes each person in your team tick. At Uber and Fremantle, *I've aimed to meet one to one with everyone in the global team at least 2-3 times a year, to give us a chance to build a personal relationship and keep talking about their career development and life ambitions.* When opportunities come up it means that you have a much better idea of what people want and who will be best suited. Over and above that, I always think it's important to run processes for opportunities to step up, do regular talent reviews, provide opportunities for formal training (including things like the GLL Mini-MBAs), secondments to other roles (sometimes in different countries), make sure people are able to spend time doing what they love outside of work and generally treat people like adults. That said, sometimes there are people in our teams where the right decision for them was to make a change, whether to go back to a home country or to a different company. That's ok (and in the move from Uber to Fremantle, I'm one of those people!). That often means opportunities for talent within organisations to step up. I'd rather develop people, build that continuous improvement culture within a team and some of them leave, as opposed to not develop them and they stay forever.

In terms of what doesn't work: money. In my experience, throwing money at someone you want to retain has a short term benefit but is never enough long term by itself and only leads to an unsustainable wage-inflation spiral. As law firms are now experiencing."



- Matt Wilson, General Counsel, Fremantle

Use remote working to your advantage

"We have been fortunate to attract talent from cities that we previously would not have considered – because of the principle decision to maintain remote work as the primary means of delivery, I could appoint the best talent that would not have relocated if that was a precondition for the role. We have of course also lost talent through the period, but unrelated to remote working conditions or considerations. *Generally speaking, our team enjoys the flexibility and our principle to maintain remote working, even post Covid, definitely helps in retaining staff that thrive in such an environment.* We however keep our fingers on the pulse and for those that require or need more face-to-face interaction, we will definitely encourage and enable such more frequently into the future as well. But, ultimately, hybrid workforce strategies are here to stay and I strongly believe that those fighting against the change will increasingly lose staff to more flexible environments. Gartner research has shown some of the benefits of hybrid models include: reduces fatigue by 44%, increases intent to stay by 45% and boosts performance by 28%."



- Carina Wessels, Executive: Governance, Legal and Compliance, Alexander Forbes



Flexibility is key

"Perhaps the most important aspect is flexibility. Lots of it. *While compensation is one piece of the puzzle, and a key one for sure, it is certainly not the only one:* location, time demands, benefits, career progression in this "new normal", talent development, are still critical components in the relationship."



- Augusto Aragone, VP, Secretary and General Counsel, Ingram Micro

Retention starts during the hiring process

"I think it's naive to expect talent not to have their heads turned by advancement and more pay. However, overly focusing only on those aspects is just simplistic. With that over-focus, you can inadvertently create unfair pay differentials and create meaningless management layers and job titles. It's the path of least resistance sometimes. I have learnt that it's better to lose someone, even if you value them, rather than fall into this trap. *Retention starts during the hiring process, ensuring that the candidate understands and buys into the team's values and culture – the team's zeitgeist.* It is also essential to have the right harmonious mix within the team in skills, experience, and personalities. Get this right and pay fairly, and I believe you have a firm basis for retaining talent."



- Richard Harris, Chief Legal Officer, Robert Walters Group

'DATA IS THE NEW OIL'



In this regular column, **Lisa Burton**, GLL Ambassador and Chief Executive Officer of Legal Data Workspace, answers your questions on data, crisis management and all things executive leadership.

What should every GC be aware of in 2022?

It may be a cliché, but data is the new oil.

As data becomes more valuable, voluminous, and vulnerable, data security needs have outpaced the skills and technology of most organisations.

As a result, data privacy management demands often exceed available resources. Yet GCs and their Boards, now recognise data as a strategic asset; they commercialise it. They value data when they buy or sell a business, seek partners and customers, or engage in innovation. They want it organised, leveraged, and protected no matter how big or small the business.

Data has business value, but also comes with a cost risk. Here's why:

- Business value translates to increased revenue and profitability. The business value of data stems from opportunities to grow the business, develop products and services, enter markets, create efficiencies, attract partners, and win customers.
- Cost-risk translates to loss. Data increases the risk of losing money, intellectual property, partners, customers, privacy, and reputation. The risk stems from the potential for loss, theft, misappropriation, corruption, or exposure of data.

Few organisations find it feasible to design and maintain a true data protection program, which entails:

- Addressing the value of data, legal and regulatory requirements; data access and use policies; operational processes, and end user training awareness
- Integrating tools and processes for ticketing,

reporting, monitoring asset management and hiring and managing legal technology staff

- Assessing outcomes and driving improvement, including remediation, risk reduction and analysis of trends
- Responding to legal matters involving data, for example, HR investigations, regulatory investigations, corporate investigations, IP theft, data breaches, data leakage resulting in unwanted attention from stakeholders and investors, and the de-valuation of company share price

The role of the GC has changed and expanded over the last 10 years. What are some of the key traits of the future GC?

The GC role has changed and expanded over the last 10 years or so. For example, a GC will work alongside the CEO, Chair, MD, Investors who turn to the GC when they worry about IP loss - Brand erosion, unwanted shareholder and stakeholder attention and Director/Board liability stemming from a data breach.

GCs must ensure that efficient, compliant and secure governance is being practiced at all levels, including within the subsidiaries of a corporation and third-party vendors.

Managing legal issues in an increasingly regulatory-impacted environment. This tends to raise the cost of doing business and becomes more difficult when those restrictions put cost pressures on the legal department charged with making the business compliant, and do its best to anticipate what might be around the corner.

The speed at which business operates continues to accelerate. Online global transactions, social media, and technological advancements have

transformed the game: GCs have to be ready to act and respond immediately, companies face more scrutiny than ever (24 hours a day), within highly competitive markets.

Then there is the matter of cyber security – it's not just an IT issue. The GC should lead or play a major role in a Data Protection Governance Board for the business to participate in the discussion about policies, education, vigilance, and how the company might deal with a cyber attack. Furthermore, the legal impact of an actual data breach can be deep and wide, a communication plan deserving of careful legal consideration, and the legal steps for investigation and potential prosecution demanding.

In this environment, today's successful GC must understand the business ramifications of legal actions (or inaction); be a trusted commercial advisor as well as a legal advisor; be a gatekeeper, but not a roadblock, who is pragmatic, adding value by preserving value; and help the company understand the value in mitigating and controlling risk – without being too risk-averse. The GC must be adept at coming up with creative (yet legal) ways to achieve business goals, but also hold firm when there is no such thing.

Here are 6 key considerations:

- Consider technologies to enable full Board visibility through data-driven dashboard capability detailing prioritised risks and actions.
- Identify the current and future requirements for Data Compliance across business' operating sectors within all jurisdictions.
- Review of the technology platforms, to rationalise data compliance requirements and resourcing to scale the business.
- Consider the production of a data-based risk register to identify and prioritise risks and how they will be mitigated and managed.
- Produce a data roadmap to plan the development of the required processes and timescales.
- Development of a prototype dashboard for communicating progress internally and at board level both pre and post M&A activities, IPOs.
- Consider how to acquire strategic partners whether they be legal, technology or security.

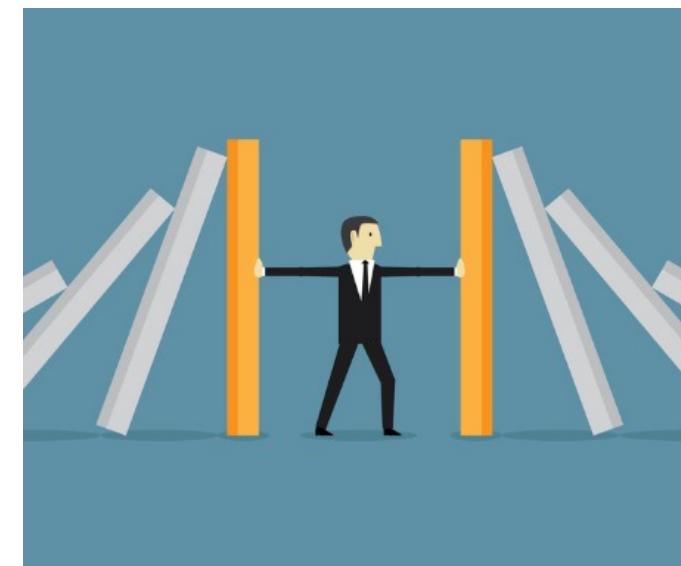
What are the key lessons you have learnt in your previous roles as a C-Suite Leader?

Over 25 Years as a business entrepreneur and female CEO, I have learned so much! Mostly, I

have learned to trust myself, that my gut instincts are always right whether that be navigating board politics, responding as a woman to a majority male Board where I have experienced first-hand sexism and passive-aggressive bullying or recruiting people. As a mature businesswoman, I am resolved to work only with people I love to work with, whether within my own team, my clients and suppliers. Obviously, I have made mistakes, handled situations and scenarios that I could have done better on – but it is only by harsh learning experiences that I can honestly say I own a blackbelt in success and failure that has made me into the business leader I am today. I am passionate about inspiring young women and more women to step up to senior roles, especially in legal data and technology. And I believe that data protection goes right back to fundamental human rights so if I can help businesses protect their consumers and B2B relationships by helping them derive the best value from their data assets and help manage their risks, then I am very happy in my work!

Finally, I would say as a woman and as a mother, thankfully, the business environment has changed.

I started my previous business, Legal Inc. so I could see my boys, but it was difficult and I literally sweated on the line on many occasions as I struggled with Mum duties and work commitments. One of the positives from the pandemic is that businessmen and women can more easily juggle family commitment and work commitments.



Have some questions for Lisa? Please send them in to be answered in next month's issue.

SUSSESSFUL STRATEGIES TO IMPROVE EMPLOYEE WELLBEING & MOTIVATION



Here, our GLL members discuss the strategies they have implemented to improve employee wellbeing, motivation and resilience.

Keep people connected to each other and the purpose of the company

"We have been very keen to ensure that we keep people connected both to each other and to the purpose of the company, particularly during the disruption caused by the pandemic.

Some examples of what we have done include:

- **Creating the Coffee Shop**, a virtual networking programme that connects team members across geographies and different parts of the Legal and Compliance organisation to broaden networks and the potential for collaboration.
- **Psychological Health**: There's no doubt about it: over the last two years, the Covid-19 pandemic has had a significant impact on psychological health. We have been very conscious of our teams' mental health. Training for managers, specific sessions addressing mental health for the whole function, and a culture of openness has really helped to ensure teams and individuals have been

focussed on their mental wellbeing.

- **Legal and Compliance movement**: a twice weekly programme to get the department exercising (yoga on Tuesday and Cardio on Thursday) held virtually, with a live instructor, all through the first lockdown year. Connecting mental wellbeing to physical movement during the pandemic, during a time when it can feel like we are jumping from one video call to another, has been very well received.
- **Monthly sessions with the Leadership team** leaders sharing insights, with the organisation on how to work better, smarter and with more energy, as well as learnings from their own career journeys. Highly attended sessions averaging 300 people per month."



- **James Ford**, SVP & General Counsel, GSK

Ensure your team take their holiday

"I go through my teams holiday allocation each month & ensure they are taking their holiday. A reminder to those who haven't to ensure they have plans for their holiday I find really helps to keep teams motivated. Everyone comes back renewed & refreshed after some downtime - this benefits our team, their colleagues and the business overall. I also find knowing when to say to people 'you've worked really hard, put on your OOO & have some time off' is incredibly effective. The pandemic really exposed the risks of burn out and it is the number 1 job of any manager is to ensure that teams are happy, motivated & supported."



- **Sarah Binder**, General Counsel, Lime

Career management is important

"We pay a lot of attention to career management, from the perspective of the employee, as we recognize that these professionals are actively managing and curating their careers and the records related thereto. In other words, we help each member to build their capabilities and capacities so that they are well-positioned for the labor market. The next and equally important step is to create a work environment and compensation package that enables them to decide that this current job is the one that is best for them, not because there aren't other options, but because the current job, the one that they are in, is simply the best choice based on their personal preferences... Of course, we cannot always accommodate each person's preferences in their entirety, but we sure try."



- **Son-U Michael Paik**, Senior EVP: Risk Management (Legal, Trade & Compliance), SeAH Holdings Corporation

Keep things diverse and interesting

"Going forward we will move to a hybrid model which we believe will be great for efficiency, engagement and motivation. I recommend spreading out assignments and work so that everyone on the team has the opportunity to be exposed to different parts of the firm and types of matters to keep things diverse and interesting, round out their skill sets and achieve enhanced personal development and interest. I encourage my team to further develop and engage by joining an industry or internal group, writing articles, teaching a class, present an internal or external presentation. ING has some great wellness benefits including mindfulness and yoga sessions, trivia contests and cocktail and tea tasting sessions with connections to various relevant cultural celebrations like gay pride week, LatinX and Asian Heritage Month and Black History Month."



- **Marcy Cohen**, General Counsel and Managing Director, ING

EMPLOYEE WELLBEING AND MOTIVATION

Here, we asked some of our Adviser members to share their practical recommendations on improving employee wellbeing and motivation.

SHOOSMITHS

"At Shoosmiths our refreshed working principles have been very well received – the emphasis being on output not occupancy, with **individuals having more autonomy and responsibility**. We'd also recommend a range of activities, such as wellbeing workshops (on topics like 'My wellbeing strategy', 'High performance environments', and 'Work life balance') and internal resources such as a Wellbeing Hub and content on hybrid working. We have **designated Mental Health and Wellbeing Champions to signpost support and encourage open conversations about mental health/wellbeing** through Time To Talk videos and we have also engaged charity 'Frazzled Café' for group sessions where Partners can discuss mental health matters, which received positive feedback."



SHEARMAN & STERLING

Shearman and Sterlings share their top takeaways from their Mindfulness and Wellbeing Programme:

- 1. Holistic** – the strategy should focus on all areas of wellbeing and how they impact workplace performance. Considering one area in isolation or failing to give the context as to why this is important to the Firm as a whole will often lead to less engagement with the initiative and buy-in from senior management.
- 2. Practical** – share habits that employees can effectively and easily build into their lives to improve their sense of overall wellbeing. It is important to understand that the employees do not always have as much time as they might like to focus on their health. If this is not considered as part of the overall messaging, it is likely that they may disengage and the suggestions to improve wellbeing will not be taken on board.
- 3. Empowering** – empower employees to proactively take control of their own wellbeing by equipping them with the tools and skills they need. This approach is more motivating for employees and also helps them to prevent any health issues from developing in the future.
- 4. Leadership buy-in** – Being able to have senior sponsors who have actively promoted the wellbeing programmes has led to higher take up and more positive outcomes.
- 5. Measurement** – It's so important to measure how effective the programmes are through surveys and key HR metrics so we can measure ROI and build a strong business case for the programmes we run and ensure that they are impactful. This has allowed us to really tailor our programmes to meet the needs of our workforce.



Lathrop GPM took a **two-pronged approach to improve wellbeing and engagement**.

They implemented several strategies to help their people put more focus on their physical and mental wellbeing in the face of the stress and uncertainty of the past few years. They introduced webinars focused on parenting during a pandemic, meditation classes, a walking challenge, a back-up care program for children and ageing parents and a new 1:1 professional wellness coaching program to address the stresses of balancing the demands of work and home and create sustainable, problem-solving strategies to achieve goals.

They also took action to **help people stay connected to their colleagues and the firm**. They fielded surveys to better understand how people are feeling about the firm's culture, strategic plan and their work, as well as to gather perspectives on work/life balance and return-to-office strategies. They took **a fresh look at how to introduce more flexibility in work schedules by offering the choice of a hybrid work environment**. They then introduced a peer-to-peer recognition program and took special care to maintain connections through virtual social gatherings throughout the year. There was also a surprise year-end bonus for many employees, which, of course, was a big hit.

The ultimate goal is to ensure that everyone at Lathrop GPM feels heard and appreciated at work – and that they have the flexibility to meet both their personal and professional needs.

HOW 'SUSTAINABLE' ARE YOU?

Michelle Elstein, GLL Ambassador and Courageous Co. Founder, and Adam Daniel, a professional athlete and Courageous Co. Performance & Resilience Strategist, set out a number of strategies that general counsel can adopt to avoid burnout and reflect on their personal resilience levels.

YOU ARE UNIQUE

To put in place resilience-building strategies, you have to be self-aware as to know what kind of 'stretch' you are experiencing. On a weekly basis, you will move between the Comfort Zone (where demands on you are of a more routine nature) through to the Stretch Zone (where either you're responding to business challenges OR opting to go for out-of-comfort-zone personal growth). At peak moments, you'll go further, into the Strain Zone and no one can sustain this for very long or you end up in the Burnout Zone.

In this current climate, you will oscillate more than usual between these zones, so being aware of where you're at will be helpful and critical to your resilience.

IDENTIFY YOUR RESILIENCE PROFILE

There are 7 practical ways you can build your resilience. The Resilience Profile to the right is a simple tool to build self-awareness and identify where resilience vulnerabilities lie.

Consider where you might rank yourself in your practices in each of these areas, with 10 indicating a strong level of habit and resilience, and 0 indicating a strong resilience vulnerability.

7 STRATEGIES TO BUILD RESILIENCE

1. Sleep

You're secure in your sleep if you know how much you need and you get it consistently. You will have good sleep hygiene and prioritise it. Sleep is vital for regeneration of our minds and our ability to cope in stressful situations.

Ideas for Sleep: Blackout blinds; digital detox for two hours before bed; no tech in the bedroom; light up Lumie clock rather than 'alarm clock; ideally finish eating within 90min-2hrs of bedtime; low to moderate alcohol intake.

2. Movement

Ideally to achieve a '10' rating, you will have a minimum of 150



mins of moderate activity or 75 mins of vigorous activity per week (World Health Authority Guidelines).

Ideas for Movement: Use your body whether it be 'fitness', gardening or housework; stretching at regular intervals; incorporate movement into your daily routine, e.g. walk to the supermarket.

3. Nutrition

A 'balanced diet' will be based on whole natural foods and you will be 'fuelling' constantly throughout the day to optimise your ability to perform.

Ideas for Nutrition: Plan meals ahead of time; drink 2L of water per day; follow government guidelines to limit alcohol; avoid 'snacking' with high sugar foods.

4. Mental Well-Being

Even for the people who we perceive to be 'mentally strong', significant work pressure can accumulate, and that's before you take into account demands at home. Consider for your rating, how alert and sharp you feel to make decisions and how well you can control your thoughts and emotions.

Ideas for Mental Well-Being: Noticing and

being aware of emotions; breathing techniques; finding practices that help you, e.g. mindfulness, meditation; seeking professional help if you need it.

5. Self-Belief

The extent to which you can switch off the inner chat of self-doubt, and put in place rituals to sustain your confidence in your own abilities or judgment, will affect how you rate yourself on this one. It's natural and good to go out of our comfort zones, safely!

Ideas for Self-Belief: Create a list of achievements; create a gratitude journal; prepare effectively for significant 'moments'; create opportunities to do things you haven't done before; visualisation techniques; curate a professional inner circle.

6. Support

Whether we're extroverts or introverts, we need human companionship. Your rating should consider the extent to which you have in place support that comes without judgment and the scale of that support so it is appropriate to your needs.

Ideas for Support: create a resilience inner circle; build honest relationships; mentoring

7. Regeneration

This tends to be the greatest area of sacrifice and your rating will depend on the extent to which you prioritise doing things that simply give you joy.

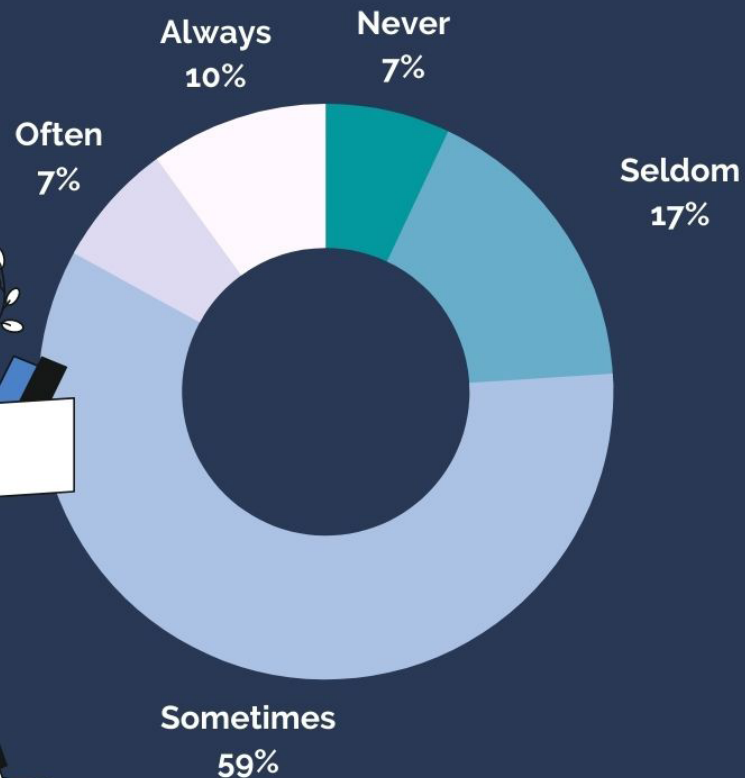
Ideas for Regeneration: This can be endless and depends on what you like, including, reading, board games, hikes, lego-building, cooking, jigsaws.

[Read the full Resilience Report here](#)



GLL MEMBER SURVEY

How frequently do you think about quitting your job?



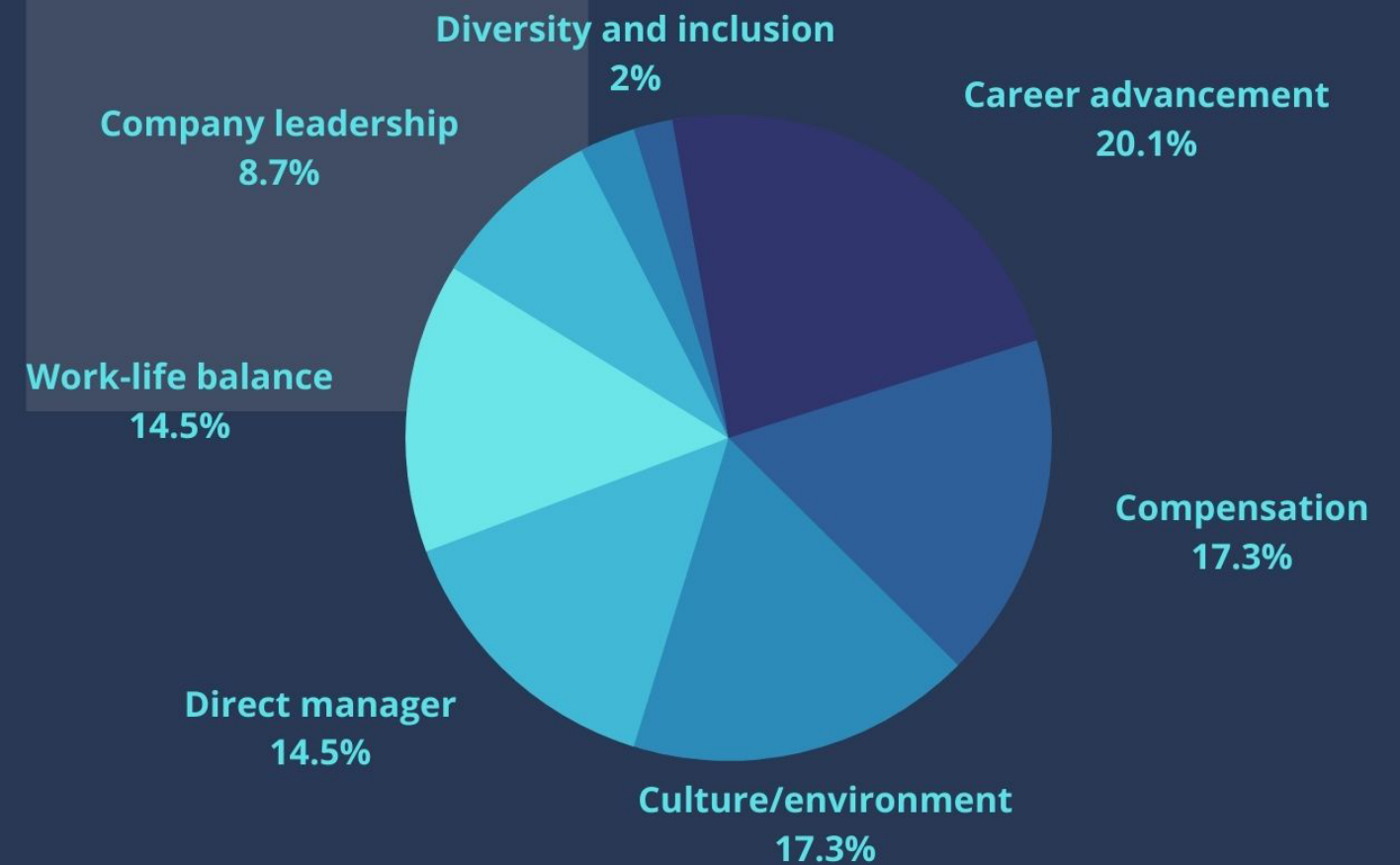
NOW HIRING



37% of GLL members would move their business when primary outside counsel leaves a firm

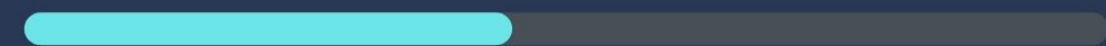
What do you think are the main reasons people leave their legal departments for a position somewhere else?

[respondents could select up to four]



41%

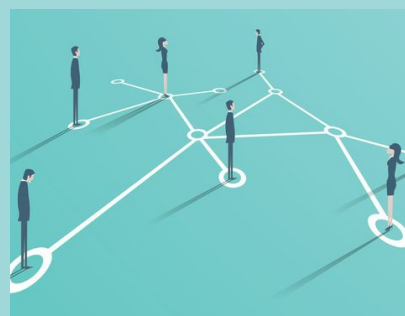
41% of our members believe that services to their legal department has suffered as a result of the increased flow of talent in and out of their outside providers.



45%



45% of GLL members believe that the increased salaries at law firms do not correlate with their legal department receiving better quality service



Smart Collaboration:
How General Counsel
and Their Firms
Succeed by Breaking
Down Silos

Dr Heidi Gardner,
Harvard Law School



Showing the Value of
the Legal Department
Sterling Miller, former
Silicon Valley GC and
author of the award-
winning legal blog, "*Ten
Things You Need to Know
as In-House Counsel*,"



Enabling Innovation
and Agility: Lessons for
the Era of Uncertainty
Nathan Furr, Associate
Professor of Strategy,
INSEAD

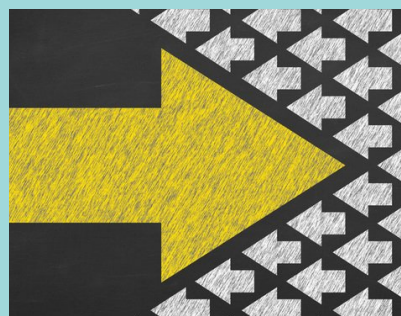
VIRTUAL MINI MBA'S

As well as our in-person Mini MBAs, we hold regular virtual sessions with leading professors and business leaders. Do take a look at a selection of the videos below and be sure to share them with your team!



The New Trusted
Advisor...

Professor Jolly,
London Business
School and
Kellogg School of
Management



Challenges and
Opportunities of Putting
Purpose into Practice
**Charles Wookey and
Dee Corrigan**, 'Blueprint
for Better Business'



How To Write Emails
That Make People Jump
Into Action

Kim Arnold, Business
Communication
Consultant and Author

GLL 2022 CALENDAR

TUESDAY 15 - FRIDAY 18 FEBRUARY	<u>GLL US Mini MBA</u> <i>Harvard Faculty Club, Boston</i>
THURSDAY 17 MARCH	<u>New York Dinner</u> <i>The Loeb Boathouse Central Park</i>
THURSDAY 28 - SATURDAY 30 APRIL	<u>GLL General Counsel Forum, International</u> <i>Villa d'Este, Lake Como</i>
THURSDAY 12 MAY	<u>GLL Middle East Exchange</u> <i>The Ritz Carlton, Middle East</i>
WEDNESDAY 1- FRIDAY 3 JUNE	<u>GLL General Counsel Forum, Americas</u> <i>Solage, Napa Valley, CA</i>
TUESDAY 7 - FRIDAY 10 JUNE	<u>GLL UK Mini MBA</u> <i>Somerville College, Oxford</i>
THURSDAY 16 JUNE	<u>London Dinner</u> <i>The Ned, London</i>
FRIDAY 2 SEPTEMBER	<u>GLL Africa Exchange</u> <i>Houghton Hotel, Johannesburg</i>
THURSDAY 6 OCTOBER	<u>GLL Women's Day Exchange</u> <i>Glaziers Hall, London</i>
THURSDAY 13 OCTOBER	<u>Dallas Dinner</u> <i>Rosewood Mansion on Turtle Creek</i>
THURSDAY 20 OCTOBER	<u>San Francisco Dinner</u> <i>Foreign Cinema</i>
THURSDAY 24 - FRIDAY 25 NOVEMBER	<u>GLL Exchange UK</u> <i>Cliveden House, Berkshire, UK</i>

Lead Member Only

All events include accommodation except for the Mini MBAs, GLL Womens Day Exchange, GLL Forum Middle East and GLL Forum South Africa.

One lead member or team member

GC'S
THAT
HAVE
JOINED
US THIS
MONTH



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