



Case studies

Creating the 'light bulb moment' Unconscious bias leadership awareness training at Freehills

Australian case study, July 2011 By Juliet Bourke - Consulting, Partner.

We interviewed Gareth Bennett, Human Resources Director at Freehills (a large legal firm) to understand (i) Freehills' objectives with regard to diversity (ii) the steps Freehills has taken to execute its diversity strategy (iii) the impact of Freehills' recent roll-out of unconscious bias training for leaders (iv) the outcomes and (v) next steps. Freehills has been focused on diversity for about eight years, and that focus created fertile ground for Freehills' introduction of unconscious bias training in 2010/2011, *"the unconscious bias leadership training was a breakthrough. It was a 'light bulb moment' for partners"* says Gareth.

What are your objectives with regard to diversity?

The firm has made a concerted effort over a number of years to address the issue of the retention of highly talented women and their opportunities for advancement. We would like to broaden our focus, however, there has been a reticence to take our eye off gender until we are satisfied that we have really hard- and soft-wired the firm to get it right. I do think we can broaden our approach and not lose impact by framing diversity as "diversity of thought" and tying that into leadership - it is absolutely fundamental and targets inclusive practices and behaviour, and values difference, in all its forms.

How have you gone about executing your strategy?

There are many initiatives that can be undertaken. We have looked at flexible work and have partners working part-time. We have also expanded the career opportunities for men and women. In 2009 we created alternative career paths to partnership, so now we have a range of roles available for promotion. None of that is enough. Diversity has to be championed, it has to be the norm, championed by men and women and ingrained in our culture. Our 'Women at Freehills' program has made great strides over the years and it is encouraging to



... see its evolution. What started as essentially a networking group for our senior women has broadened in a number of crucial ways. The focus has moved to women at all career stages (rather than just at partnership level) and the needs of people more broadly within the firm. For example, men have been actively recruited as champions for flexibility. We have shifted towards inclusive thinking and behaviour, which really reflects our current focus, and that has brought men into the conversation.

For the past 12 months our strategic plan has been about behavioural and mindset change. Just like everyone else we have fantastic policies, but it is the way we enact our policies that will make a difference, and cultural change takes time.

The unconscious bias leadership training was a breakthrough. It was a 'light bulb moment' for partners. Statistics and a business case is one thing, but the unconscious bias program helped them to see bias and say "Hey, that's me". It helped people link their behaviour to the problem.

How has unconscious bias training helped with behavioural change? What have been the impacts?

Essentially, the timing was right for us and the unconscious bias piece linked the dots. It has provided fresh energy and a new direction for us. There have been a number of different impacts:

1. Hearts and minds

I have seen a shift from systems, policies and programs to personal engagement – the hearts and minds. The training landed on fertile ground for us, as a fundamental aspect of our leadership development is 'understanding self'. There is a new central group with new joint chairwomen as a driving force, and this is underpinned by support of the CEO and the Executive, as well as by regional groups who are the local drivers of change. So we have both a top down and a bottom up approach. And this approach is supported by really passionate individuals. We include diversity as a standing item on the agenda of each leadership meeting, for example at practice groups and with the Executive and Board. You can't help but talk about it when it is a standing item on the agenda.

2. Greater Awareness

Sometimes people think they understand bias, but really they don't. I remember one CEO (in another organisation) who said "*I get diversity*" but one of my staff challenged him by asking "*What time is your first meeting?*" He replied "*7:30*". So then she asked "*Who takes the kids to school?*". The penny dropped for him and he responded, "*It's difficult isn't it*".

In many ways, the training has opened the door for people who didn't want to have a discussion about diversity. Interestingly, we had much greater interest in the workshops once word of mouth had got around that it was thought provoking and personally insightful.

It has given us courage to 'call' negative behaviours. I see it with management – there is a mindfulness for people to ask themselves "*Why do I like this candidate?*" and it has given permission for people to call out behaviours when they see unconscious bias, e.g. in the way someone is being described. We ask ourselves, are we just hiring in our own image?

More than just permission and courage, the training has put a value in people seeing something from a different perspective. We hope to encourage a culture that is not about 'courage', but about open and honest communication – an ability to express thoughts, even when contrary to the popular view.

Holding ourselves to account, letting people question things and offer a different perspective is not seen as troublemaking, but adding a new dimension. Having this come from line management, as well as HR, is very powerful.

3. Language

The training has mainstreamed the language of unconscious bias, for example recently two executives were involved in a recruiting campaign and were transparently asking themselves if they had engaged in any homophily when assessing the candidate. So the biggest change for me is establishing this as part of our language, and seeing it infiltrate our culture. It has given many of our initiatives a new lease of life and I expect this shift will lead to quantum changes. Without language, many policies don't get airplay.

What about outcomes?

Again, we have seen a number of encouraging change points:

1. Talent

It has made a difference in relation to our people in terms of recruitment, promotion and talent identification. This is where the conversation comes in. What does our talent profile look like? Is there any unconscious bias there? The figures for last year were that the Melbourne office considered 14% of its senior lawyers "exceptional", with women comprising only 27% of this group (while making up 60% of senior lawyers overall). This year, 18% of Melbourne senior lawyers were considered exceptional, with women comprising 45% of this group – a huge increase from 27% the year before.

This is a good example of the impact in the talent process statistics and there have been similar impacts in relation to salary and bonuses. We all thought we were incredibly fair and then we tested our data against gender, age and full-time vs part-time. Simply instituting a process to test the data has been enough to get people to stop, think and test their decision-making. It has been a really cathartic process for people. We didn't realise we could be making biased decisions.

2. Clients

It has also made a difference with clients. Our clients are demanding and the profile of clients is changing. We have to access the way they think. Clients are right to expect more of us. We know that in corporations the majority of General Counsels are women, and they are doing the hiring. We also have a lot of government and quasi government tenders, and they are demanding diversity as a key component of their tender process.

3. Metrics

We have 55-60% of women in the legal profession, and it's been like that for some time. We want to make sure that women stay in the profession. Currently, we have 60% of women at senior associate level (just before partnership) and when we started this journey we had 16% of women in the partnership. We're now sitting at about 21.9% who are partners. Increasing that percentage is the right thing to do and we are moving in the right direction.

What does success look like?

Success is multi-faceted. To give you a few examples:

1. It's about being valued for the unique contribution a person can make. Last year a couple of graduates said they felt welcome in Freehills and fitted in here, but they were considered 'too different' in other places because they were not the standard model. They felt they were different and could be themselves at Freehills. Legal hiring is very traditional and we all hire from the same law schools. We have tried to embrace the broadest diversity of thought. It has differentiated Freehills and the message is, if you are smart enough, we will take you in. That is success.
2. It's also about men accessing flexibility. A male partner wanted to take parental leave and it took courage, but we need these role models. This is not just about women. The partners now see this as a broader agenda and relevant to all people.
3. I saw the tangible power of diversity of thought when I was at Ford. We were incredibly fast in the design period and yet it took us three times as long as the Japanese manufacturers to hit market. Why? We realised that we had a homogeneous design team (US based male designers); they could design fast but then it took the builders months fixing up problems with the design. In contrast, the Japanese manufacturers got the designers, builders and sellers together at the design stage. That stage took longer but then it went straight to market and that was more cost efficient. At Ford, the design team hadn't taken into account all the variables.
4. Ultimately success will be having a female chairman and/or CEO within five years, and a diversity of thought throughout Freehills from people who relish their role of invigorating and innovating throughout the firm. This will allow us to grow and serve a much broader client base.

What are your next steps?

A diversity agenda rather than a focus on gender, and for it to be driven by the business - that is where we want to go. We want to work with our clients all the way through the food chain and deliver something more satisfying for our people and clients.

We will continue to refresh the conversation and improve our people's knowledge about unconscious bias until it is part of the hard and soft wiring of the organisation. We are looking for more dispersed leadership and different leaders in different contexts.

Ultimately, we aim to lower the threshold of interest and welcome diversity as added value.

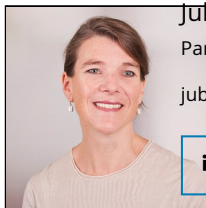
Summary

For Freehills, this journey is about:

1. Focusing on diversity of thought as a way to build engagement with staff at all levels and meet client needs
2. Creating a structure of dispersed leadership, both top down and bottom up
3. Developing a shared language through unconscious bias leadership training
4. Creating multiple points of accountability, including holding the metrics up to the light and setting diversity as a standing item at key organisational meetings.

For more information email Gareth Bennett

Contact us



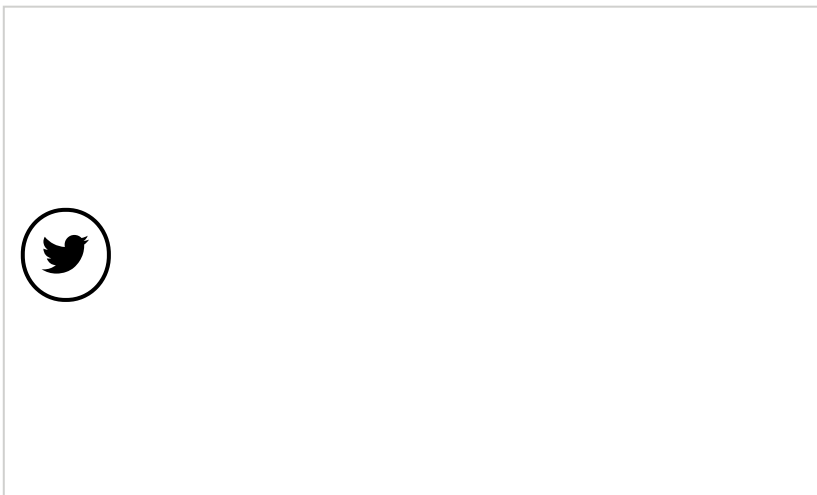
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