

# NAVIGATING NEW PATHS TO GROWTH

---

**An opportunity for  
in-house to reimagine and  
reshape the future of work**



**THE LAWYER**  
Research Service

**PAUL**  

---

**HASTINGS**

# Foreword

The old saying goes that necessity is the mother of invention, and this has perhaps never been better demonstrated than throughout 2020. 'Necessity' here is the lockdown resulting from the coronavirus pandemic. 'Invention' is demonstrated by the rapid pace with which we have all had to pivot our approach to day-to-day business, strategy and technology in response to the pandemic.

This study, conducted in collaboration between Paul Hastings LLP and The Lawyer, includes the analysis of over 120 survey responses collected from General Counsel, Heads of Legal and Chief Legal Officers from businesses throughout the UK. Interviews were also conducted with General Counsel at some of the UK's biggest organisations, including BT, Barclays, GSK, Vodafone and more.

The research looks at hopes, concerns and challenges resulting from the disruption and the acceleration of existing trends at a pace that was unimaginable just six months ago.

Suzanne Horne, London office Vice Chair and head of the international employment practice at Paul Hastings, says: "For some time now we have been examining with our clients what the future of work looks like. That future, in some respects, has now arrived. Therefore, we're taking the temperature of the in-house legal function to work out how the crisis has impacted them and what the year ahead is likely to have in store."

With the Government continuing to introduce new measures to combat the virus, a potential six further months of lockdown and new measures around employment as part of the Winter Economy Plan, uncertainties around who works, how we work and where we work are as prevalent as ever. In-house continues to be at the epicentre of the corporate reaction to new developments, announcements, and regulation. As this report is released in October 2020, it serves as a map to guide your organisation or in-house team through these turbulent waters.

# Contents

<b>A lasting legacy?</b>	
The lasting impact of agile working and the use of technology	<b>4</b>
<b>The business context</b>	
Accelerating strategy and workplace dynamics in the future of work	<b>6</b>
<b>The relationship with technology</b>	
AI and automation within your business and in-house team	<b>13</b>
<b>Workforce configuration</b>	
Headcount changes within your in-house team and wider business	<b>16</b>
<b>Stakeholder and other professional relationships in a changing working world</b>	<b>20</b>
<b>Conclusion</b>	<b>26</b>

# A lasting legacy?

Measures adopted to keep businesses operational during the crisis such as remote working, the implementation of technology and the increased digitalisation of processes are likely to have a lasting impact on company culture, the employee experience, productivity and learning and development. The extent of that impact remains unknown, particularly as an increasing number of companies such as RBS, Facebook and Google are delaying the return to the office until 2021, while others, such as Twitter and Schroders, have made remote working permanent.

## A more agile, diverse workforce

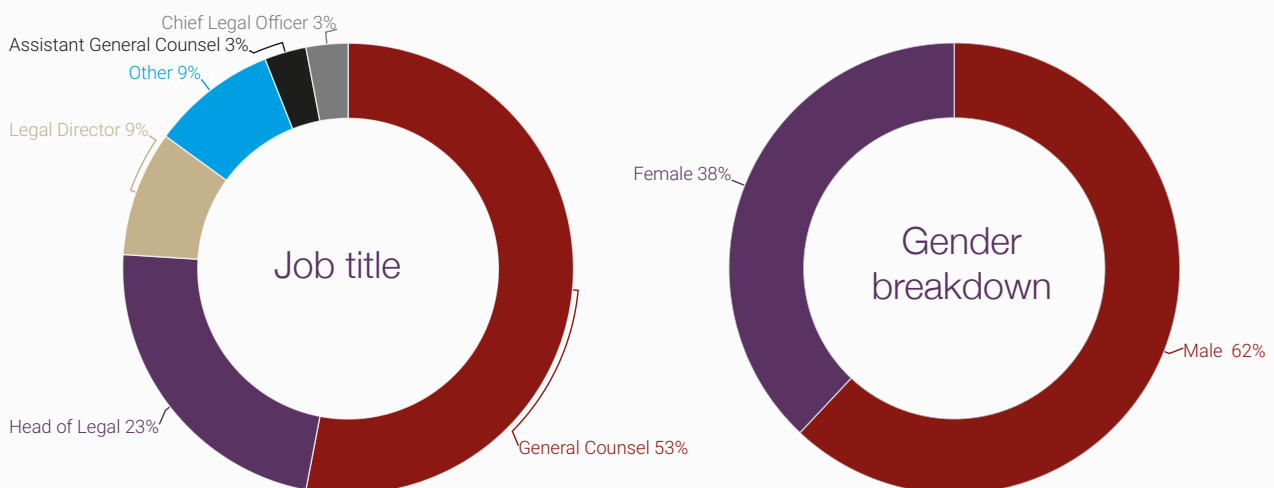
There is hope, for example, that more opportunities for remote working could fuel increased diversity across

workforces at a time when this issue is very much at the top of the corporate agenda. It is obvious how this may benefit parents of young children and those with disabilities, but given that women are traditionally the primary care-givers, will this result in more women at senior levels and finally fix the gender-pay gap? And, will remote working help or hinder the under representation of ethnic minorities whether in or outside the legal profession?

Greater flexibility of location allowed through remote working also opens access to a wider pool of talent and increased opportunity for lateral hires for firms, which may have previously been hindered by geography or facilities.

On the other hand, many are

## Breakdown of respondents





concerned about the ability to foster a company or team culture. How do you instil company culture, stimulate innovation and collaboration from kitchen tables across the country? How do you lead and support learning and professional development effectively? Then there is the presenteeism fear-factor—could those that work in the office more often have an unfair advantage over those that do not, in terms of visibility and in getting their voice heard?

### Better technology – but not at the cost of security

On technology, while the benefits in efficiency are there for all to see, there are some concerns when

it comes to data security and confidential information, the impact on human agency, and the potential for it to replace roles both within in-house teams and across businesses more broadly.

### Fit for the future

It is going to be some time before businesses and legal functions find the right balance in this dynamic situation. This report combines expert opinion and analysis on these issues broken down by business context, workforce components and stakeholder and other professional relationships, to give you and your business a head start in ensuring your legal team is fit for the future world of work and in helping your business navigate new paths to growth.

- How do you instil company culture, stimulate innovation and collaboration from kitchen tables across the country?

# The business context

Legal teams were vital for many businesses in navigating the initial response to the pandemic; will they continue to contribute to wider business strategy once the dust settles?

The pandemic has undoubtedly provided an opportunity for legal teams to demonstrate their value-add, relevance and broader range of expertise. “For lawyers, now is [the time] to work out how not to slip back into our legal pigeonhole,” says John Mayes, UK Legal Director at Randstad.

In the short term, legal has been heavily involved in reformulating business strategy. When asked how the virus impacted strategy,

- 42 per cent of respondents stated that their business had to accelerate plans that were already in place;
- 12 per cent indicated that they have had to entirely rethink their

business strategy; and

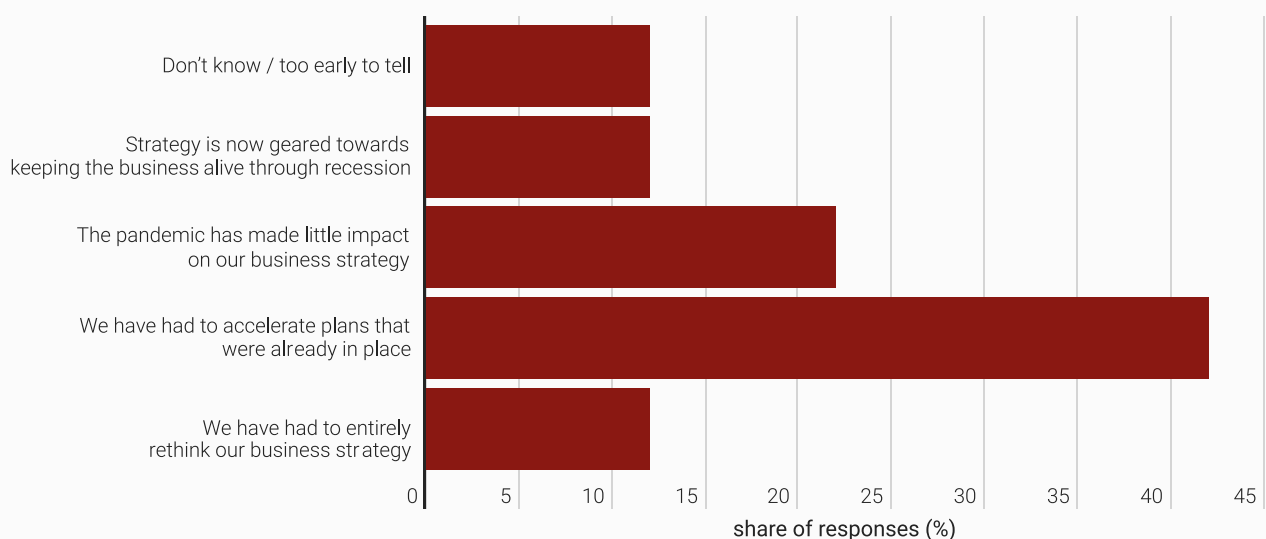
- a further 12 per cent indicated that their strategy is now geared towards keeping the business alive.

## Accelerating planning and action

A remarkable two-thirds of respondent's businesses therefore had to accelerate or significantly alter their strategies in response to the pandemic. One GC we interviewed mentioned that plans to split their business in two were well underway by March, and that the lockdown meant these plans had to be both sped up and altered as new considerations such as real estate came into play.

The interviewee said: “The plan has involved a hell of a lot of planning. On real estate, for example, we’ve had to consider whether we are going to need more or less office space, and where those offices should be. To

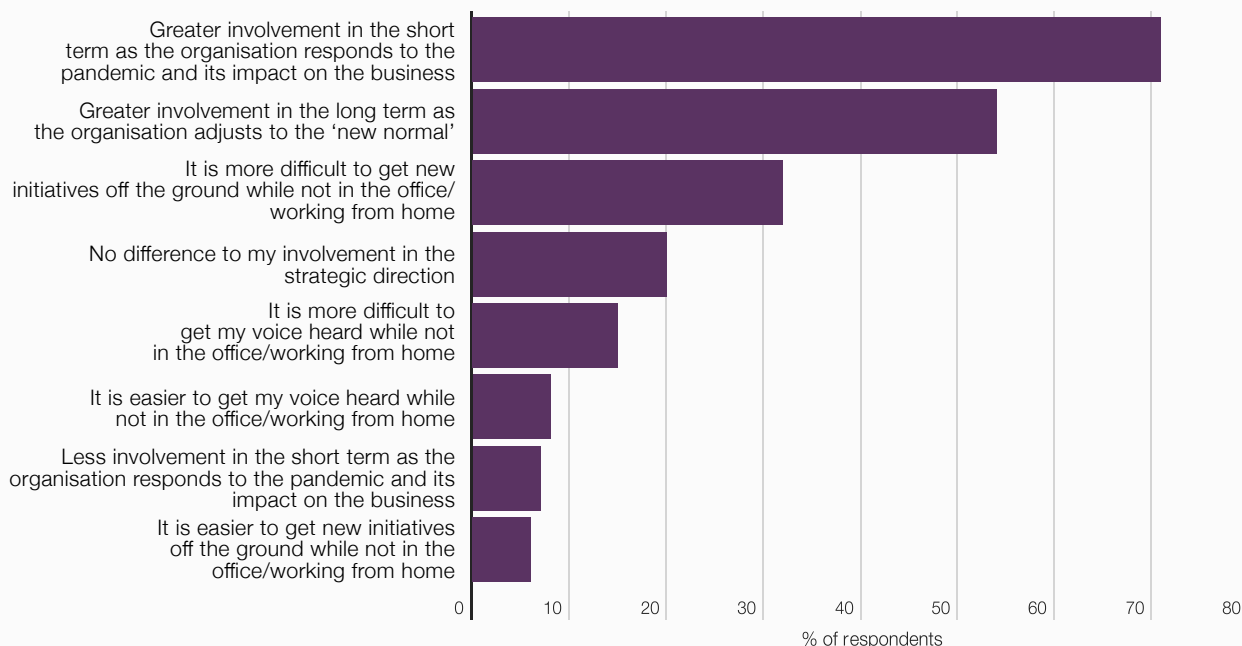
## How has the pandemic impacted your businesses' approach to strategy?







## How did your involvement in business strategy change in response to the pandemic?



determine this, we surveyed our staff, and then used that data to inform our decisions.”

### Owning the room

Another interviewee pointed out that, despite never actually being able to get in the room together, his business was able to plan and strategise the raising of £165m, despite the board never actually meeting. “Traditionally,

to get an initiative of that size off the ground you’d have to get everyone in the room together, and then not leave until it was resolved. This time around we had to do things remotely, and it’ll be really fascinating to see whether now that we know that it can be done remotely, will we go back to getting into the room? Was our success in remote working just driven by necessity?”

### Food for thought: Lead as well as react

Lawyers often know the business as well as anyone, and proactive suggestions will likely be welcome. Compliance is a key focus for many companies and so early highlighting of potential issues or, better still, ways in which a business can take early steps to save later effort is likely to be an area which only the in-house lawyer is thinking about.

### The relationship between legal leaders and the executive

So, will firefighting in the short-term lead to increased involvement for lawyers in businesses’ strategic direction in the long-term? Competitive salaries and excellent training opportunities have led growth in the pool of in-house talent. In turn, many lawyers who would have moved up the ranks within private practice to partner and senior management level are now looking to take on board level roles within businesses.



While more and more lawyers are now in top-level positions throughout businesses and have found themselves in vital roles while steering businesses through the pandemic, many would stress that there is still some way to go in fully integrating legal into the executive decision-making process. Many legal heads still feel like they are kept at arm's length, called upon to provide last-minute legal and regulatory advice to guide business strategies, rather than playing an active role in forming strategic direction.

Within the free text section of our survey one GC stated that: "GCs need to be true business partners and part of the initial strategic decision-making stage – not just an afterthought to execute or indeed to pick up the pieces."

Indeed, research undertaken by The Lawyer in 2019 found that just 22 per cent of GCs held a board level role. 88 per cent of the GCs that did not currently hold a board level role held an aspiration to have a board level role or greater influence at board level. 37 per cent of these respondents wanted to obtain a board level position within five years, while 16 per cent wanted opportunities to actively contribute to board level decision making.

## Positive changes during the pandemic

The coronavirus lockdown and the move towards remote working has undoubtedly had an impact on the dynamic between in-house legal and the executive. Our survey asked respondents to select which changes they felt the disruption to traditional

working patterns have made and will continue to have an impact on their involvement in planning their business' strategic direction. 71 per cent indicated that they had seen greater involvement in the short term in response to the pandemic. A further 54 per cent feel that they will continue to see greater involvement in the long term.

Alexis Alexander, general counsel at Liberis Finance, says: "Prior to Covid, legal were as important to growth but not core to decision making. During lockdown, this changed, as legal formed a vital part of the taskforce navigating furlough, facility agreements, leasing and more. Going forward, companies should be thinking that if legal steered your organisation through a crisis, they should also be used for recovery and growth."

Roger Barron, Global Vice Chair, M&A, Paul Hastings, observes:

"You need to identify the places where key decisions originate from. If a lawyer is reviewing items for board consideration then it is likely that the decision has all but been made and the scope for amendment will be minimal.

Different strategies may evolve from different places, and so relationships with key stakeholders may need to be forged very broadly. For example, finance, H&S, investor relations, strategy, business divisions and HR may all be discussing early stage strategic measures."

## The impact of the financial downturn

While many businesses have successfully navigated the initial impact

of the pandemic, business leaders will be well aware that there is another crisis waiting around the corner: the biggest economic crisis since the Great Depression.<sup>1</sup>

Respondents were asked to state what they considered to be the biggest threat to their business over the next year. Unsurprisingly, 77 per cent believe it will be the financial/ economic downturn.

This figure stays broadly the same when respondents are segmented by sector, and by FTSE 100 and FTSE 250 constituents. It does however drop when looking at respondents working within a banking and finance organisation. 60 per cent of these firms feel that the economic downturn is the most significant threat, while 14 per cent are primarily concerned about strategic threats and competition. Data breaches and regulatory pressures were each selected as the primary threat by 10 per cent of banking and finance organisations.

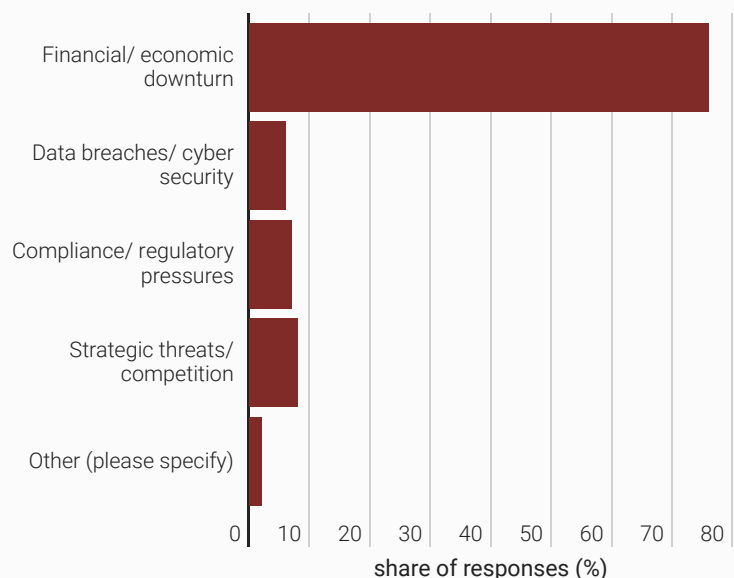
<sup>1</sup>Georgieva K., IMG Managing Director Statement, <https://www.imf.org/en/News/Articles/2020/03/23/pr2098-imf-managing-director-statement-following-a-g20-ministerial-call-on-the-coronavirus-emergency> [accessed 08/08/2020]

## The need for speed, agility and clear communication

Businesses need to take the strategic lessons learned when navigating the pandemic and looking ahead to 'normal' times – whatever they look like. Inevitably, the financial downturn looks like it will be the first test here.

Jeff Langlands, Global General Counsel at BT, explains that the organisation's business strategy moved to a

### What poses the biggest threat to your business over the next year?



### Food for thought:

#### Inputting on strategy

If legal wants to continue to be involved in strategy, perhaps it needs to showcase its value-add. The best way to do this may be to cement progress by proving their value, demonstrating the significance of their contribution and recording wins. Appropriately emphasising and educating the wider business on why there is a proven business benefit for legal to be involved in those strategy discussions going forward will be key in ensuring a seat at the strategic table. Can you and your team share case studies on the role you played in delivering the strategy during the pandemic? How can you communicate this with the wider business and showcase the contribution made to commercial and strategic success?

day-by-day routine of communications throughout the crisis, and that the ability to move at such speed gives the business hope going forward.

“We’ve demonstrated that we can move at pace,” says Langlands. “For example, we supported the Nightingale Hospital, and within a very short timeframe after the initial discussions with the government, we had an agreement in place and a fully-fledged new hospital with all the connectivity it needed. What we’re taking from it going forward is, how

do we replicate that in normal times? How do we keep that pace? What did we do differently? How do we do it while still managing risk?”

Operating at this pace can be draining, particularly, as we have all seen over the past few months, when doing it in a remote environment. ‘Zoom fatigue’ has entered our lexicon for good reason, and it will be interesting whether organisations slip back into traditional working and collaboration patterns over the next 12 months.

● “We’ve demonstrated that we can move at pace.”

— Jeff Langlands, Global General Counsel at BT

## Food for thought:

### Leveraging lessons learned from lockdown

By analysing the lessons learned from lockdown with your team, there is an opportunity to support the business during the downturn by re-assessing positions taken on legal and compliance risks and revising processes and procedures to ensure the function harnesses and leverages the dynamism seen in the crisis.





# Relationship with Technology

## Technology and the changing face of businesses

Artificial Intelligence as a phrase carries with it some negative connotations. Mention it to some and they'll instantly think of *The Terminator* and *Skynet* rather than efficiency and cutting costs.

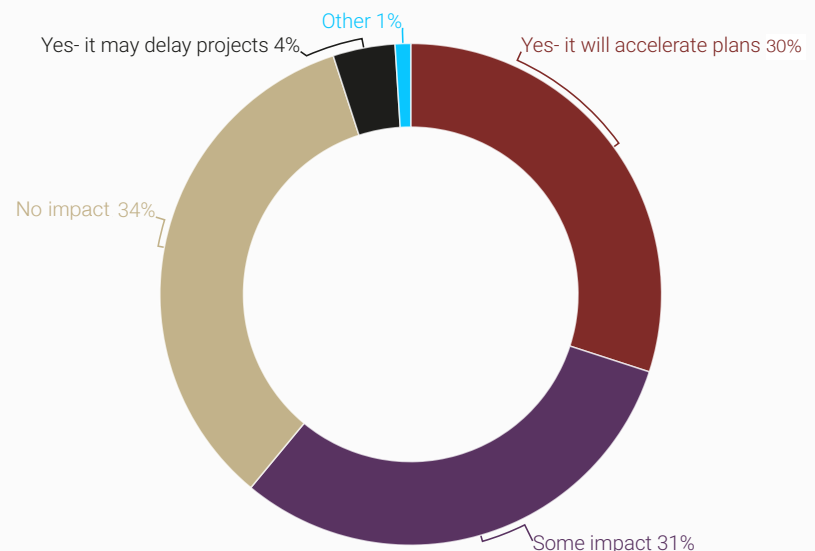
It is however becoming an inevitable part of modern life: 30 per cent of respondents expect that automation or AI will replace existing roles where possible across the wider business workforce.

When asked what impact the pandemic had on their organisation's approach to AI, 61 per cent indicated that it had either accelerated plans or made some impact. Only four per cent believe that the pandemic has delayed AI/automation related projects.

When these results are segmented by sector, the patterns are perhaps different to what most may predict. Retail organisations (identified by many as one of the prime sufferers from the crisis/economic crash) are more likely to anticipate an acceleration of AI plans—57 per cent expect plans to accelerate—than the respondent group as a whole.

"AI and automation can definitely make an impact," says Anthony Kenny, General Counsel at GSK. "Throughout the pandemic that kind of technology has been tried because of necessity and has worked, meaning there'll be an increased desire for investment in automation in the long term."

## Will your organisation's long-term approach to technology and AI have been affected by the pandemic?



## Security and privacy concerns

We asked respondents to select their key concerns around the use of AI at their organisation. The most common answer was privacy and data protection concerns, which was selected by 49 per cent of respondents. This is followed by general 'security' (42 per cent), and 'reliability/safety' and 'impact on human agency' (both at 41 per cent).

On human agency, one respondent elaborated that "thinking outside the box will be harder. Rules will be codified, and flexibility will be lost."

One respondent is concerned around AI's impact on regulatory compliance.



“If AI makes pricing decisions, could that have competition law implications?”

For legal professionals at least, there may be more work to do in the realm of compliance as automation becomes more and more prevalent throughout businesses.

Sarah Pearce, head of Paul Hastings’ European Privacy and Cyber Security Practice, commented: “we’ve been working with clients implementing advanced, new and emerging technology products and services including AI into their businesses for some time pre-COVID but the pandemic clearly accelerated the process and increased reliance revealed just how valuable it can be to a business’ survival in some cases.

The concerns around data privacy and security issues remain and

to some degree increased during the pandemic, with more clients recognising the value of ensuring robust compliance programmes which include rigorous screening of third party vendors.”

## What impact will technology have on your in-house team?

With regards to technology’s impact on in-house lawyers specifically, more than three quarters of survey respondents indicated that the implementation of technology will be important in preparing their in-house team for the future of work.

At BT, for example, the organisation is looking at implementing contract review software to significantly reduce the amount of time it takes to scan a document for errors.

“We are trying to get a lot of detail on what activities take the most of a lawyer’s time. On contract review for example, if we were able to speed this up through the implementation of AI we could give those lawyers a significant amount of their day back,” says Langlands.

## Upskilling and rising to the challenge

A key positive of this will be the ability to free up lawyers’ time, which could lead to widespread upskilling. For the in-house team of the future, expect to find more lawyers with what would today be considered a ‘senior’ skillset.

Philip Aiken, Managing Director at Barclays, says that the need to upskill has been revealed by the pandemic,

### Food for thought:

AI development is inevitable – how do we better understand it?

As the research shows, investment in digitisation and AI programmes has accelerated during the pandemic and is predicted to continue. It is clear that AI and digitisation will play an increasingly vital role in delivering legal services in the future. Legal therefore needs to invest its time and resources appropriately to understand the actual or potential benefits for business from AI and new technology, carrying out assessments of the legal and compliance risks and seek to identify any practical steps to mitigate them.



as legal professionals have been vital in navigating the lockdown period.

“If organisations can implement technology which allows automation of basic tasks, this will allow in-house teams to concentrate on higher value work. This may result in the profile of in-house teams becoming ever more senior.”

An in-house team with heightened seniority should, Aiken argues, be able to help organisations in weathering the ‘uncharted, unknown and unprecedented’ period ahead.

### **Food for thought:**

#### *Smart working in every sense*

Some larger in-house teams are already using technology to focus their talent on achieving strategic and business objectives rather than time-consuming, labour-intensive tasks that add little or no value to the bottom line. This form of ‘smart working’ is the obvious direction of travel. Legal leaders who have yet to implement technology should speak with their network to gain insights into what works and what might best suit the needs of their business.

# Workforce Configuration

## Will headcount shrink?

Many businesses throughout the country have been operating at a significantly reduced capacity since the Government's furlough scheme was introduced. The question now is whether businesses who have operated smoothly despite headcount reduction will think about reducing their staff numbers in the long-term, or have any alternative but to do so.

Our survey respondents certainly seem to think so. 63 per cent of respondents anticipated that the configuration of their wider business workforce will soon change significantly. Of these, 68 per cent anticipate a decrease in total staff headcount, while 30 per cent believe that automation will replace existing roles where possible.

## Sectors suffering from the pandemic

While the economic downturn resulting from lockdown will be felt across most businesses, we are already seeing the aviation and retail sectors being badly hit. The next wave is likely to be the hospitality and real estate sectors as the furlough scheme comes to an end on 31 October 2020. This, one might assume, could precipitate a significant decline in headcount within businesses from those sectors. We asked respondents from the hospitality and retail sectors for their thoughts on this next stage. Interestingly, our survey data would suggest that this isn't necessarily the case.

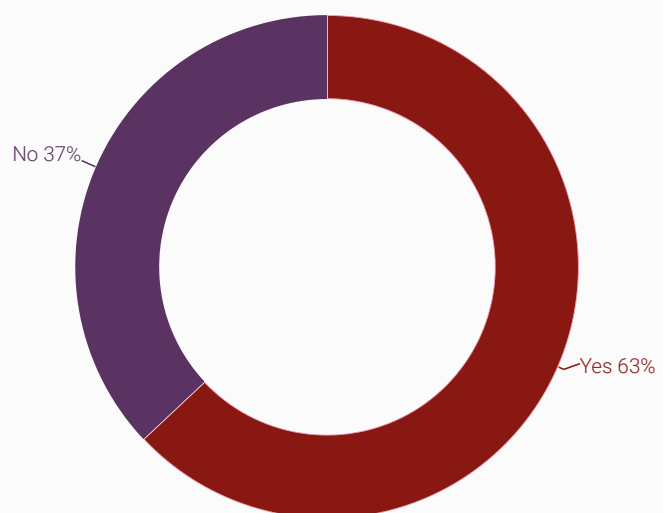
Respondents from the hospitality and retail sectors said that they are less

likely to believe that the configuration of their workforce will change in the near future. There is a 50/50 split on the issue within the real estate sector, with half expecting a significant change, half not. Only a third of hospitality respondents believe that the configuration of their workforce will change any time soon.

### Headcount within the in-house team of the future

Interestingly, GCs broadly feel that in-house legal functions will be immune from headcount cuts. 55 per cent believe there will be no immediate change in their team size, while 20 per cent feel their team size will increase. Just 14 per cent believe that their team size will shrink post-pandemic.

### Will the configuration of the wider business workforce change significantly in the near future?



When looking at organisations from within the FTSE 100, 54 per cent believe there will be no change to their in-house team size, while 23 per cent feel that their team size will shrink. There appears to be more room for expansion within the FTSE 250, as 37.5 per cent of respondents from those organisations believe that their team size will grow, with the same number feeling that there will be no change. This is potentially a result of the resources available to larger organisations, particularly with regards to technology.

For example, Anthony Kenny at GSK says: “Events like the pandemic bring challenges and the need to cut costs and that will drive much more of a focus on day-to-day tasks. ‘Could we use a tool to do this job? Why do we have 100 lawyers doing that, could we use 10?’ Legal can’t be an island from cuts across the wider business.”

That comment picks up on two things. Firstly, as discussed earlier in the report, the pandemic has given the implementation of automation and AI across businesses a new impetus. Secondly, lawyers may be wrong if they assume that they are immune from cuts resulting from an economic downturn or from the roll-out of automation.

Langlands at BT thinks that composition of teams may change in the future, but that technology won’t necessarily be the cause. “Our team has reduced over the last few years, but this is predominantly through natural attrition.

“We’re careful about whether we go out and hire - when someone goes, we consider whether we actually need to backfill that person, or just

### **Food for thought:**

#### **An opportunity for legal to adapt and evolve the workforce**

While some businesses may have no alternative but to reduce headcount, for other businesses, there is an opportunity (not borne out of necessity) to re-shape and re-imagine the workforce to meet its future business needs. Legal can play a vital role in this process by facilitating change in accordance with employment law rights, ensuring business decisions are robust and mitigating the legal risks from implementation.

### **Food for thought:**

#### **Time to reflect on team structures and business needs**

As financial pressure grows, legal leaders should also reflect on their own team structures and the business need ahead of any imposed requirements to look for natural opportunities to re-balance and re-shape.

look at different ways of working. It’s more a rebalancing rather than outright shrinkage.”

## **Diversity and inclusion**

If, as many are predicting, the days of the traditional office environment are truly numbered, then maybe the days of physical and geographical limitations in the hiring process



are too. This in turn should give employers a larger pool of talent to draw from in the future of work.

Respondents were asked whether they believe that changes to traditional ways of working will present greater opportunities for women and people from diverse backgrounds to join and advance within their organisation.

More than two-thirds of respondents (68%) think the change will present opportunities. Expanding upon their answer, one respondent said: “For working parents, the ability to work from home is key. As women tend to bear a disproportionate burden re childcare, this is helpful. For BAME employees this is less obvious - I do not think that improvements for those groups will be automatic. We need to be more deliberate in our focus to improve things for them.”

Another respondent feels that: “Businesses are increasingly questioning whether existing business processes and norms are really the best way of doing things. If you throw everything up in the air and start again, it’s obvious that greater diversity should be proactively sought out.”

There is hope that shifting to remote working will benefit parents with young children to look after. As women traditionally take on a disproportionate amount of parenting responsibility, there is hope that this could help to bring about improved female representation at senior levels. Remote working also presents greater opportunity for colleagues with disabilities and mobility restrictions.

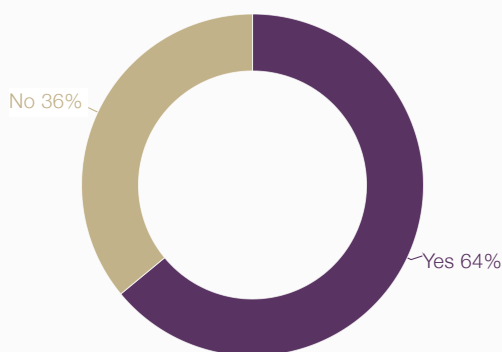
Interestingly, there is no difference

## Food for thought:

### Driving progress in diversity and equality

The legal function has the capability to both set an example and to drive forward progress on an issue that is now at the very top of the corporate agenda. Whether it is in light of #MeToo, the gender pay gap disclosures, employee wellbeing, the re-alignment of work-life balance or recent Black Lives Matter calls for change, the corporate position is in the public domain—or never far from it—as a result of employee or social activism. Therefore, at some stage organisations will be held to account and there are clearly opportunities to take a leadership role to help the business devise and embed new programmes and practices arising from these events.

### Will changes to the traditional ways of working present greater opportunities for women or people from diverse backgrounds to join and/or advance within your organisation?



in the opinions of our male and female survey respondents when discussing changes to traditional ways of working. 63 per cent of both male and female respondents believe that changes resulting from lockdown and recent events and efforts to improve diversity and equality will present greater opportunities for women, the BAME community and those with disabilities.

# Stakeholder and other professional relationships in a changing working world

## Building relationships with key stakeholders remotely

The relationship between senior legal counsel and the leadership team has moved on a great deal over the past decade, but it is the crucial stakeholder relationship for any legal leader. What does the future hold for this key relationship in the context of remote working?

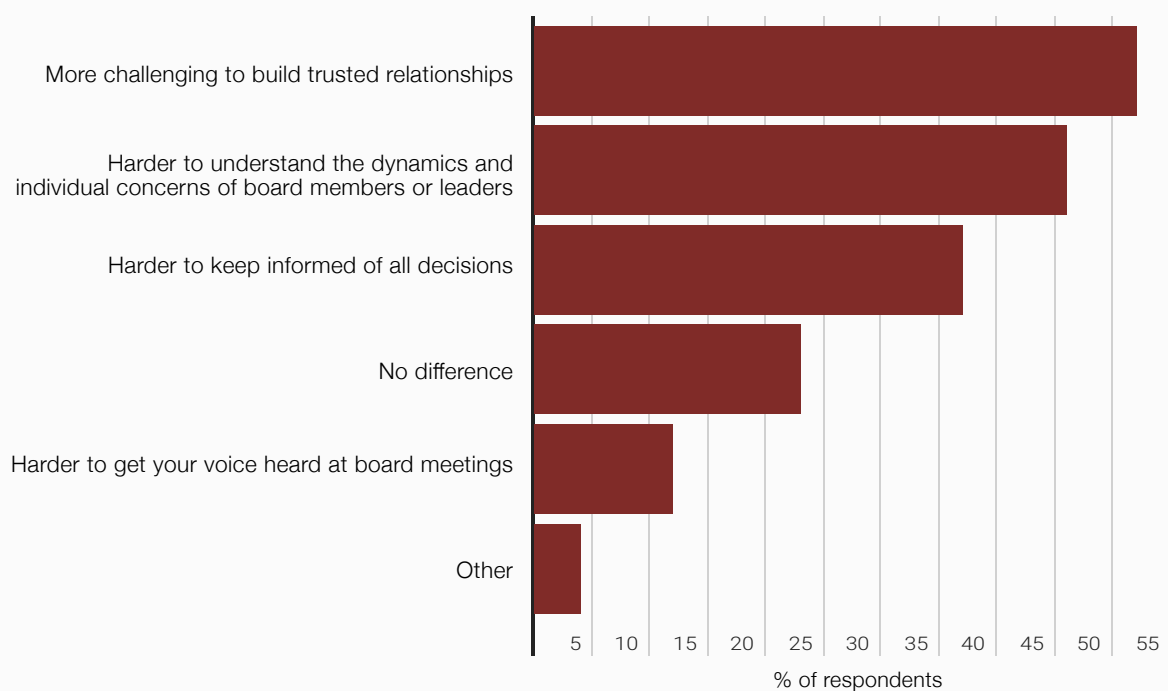
Our survey asked what impact a shift to remote working would have on the relationship between the respondent and their organisation's board or leadership team. More than half (53 per cent) believe that it will be more challenging to build trusted relationships in this 'new normal'. 47 per cent believe it will be harder to understand the dynamics and concerns of board members

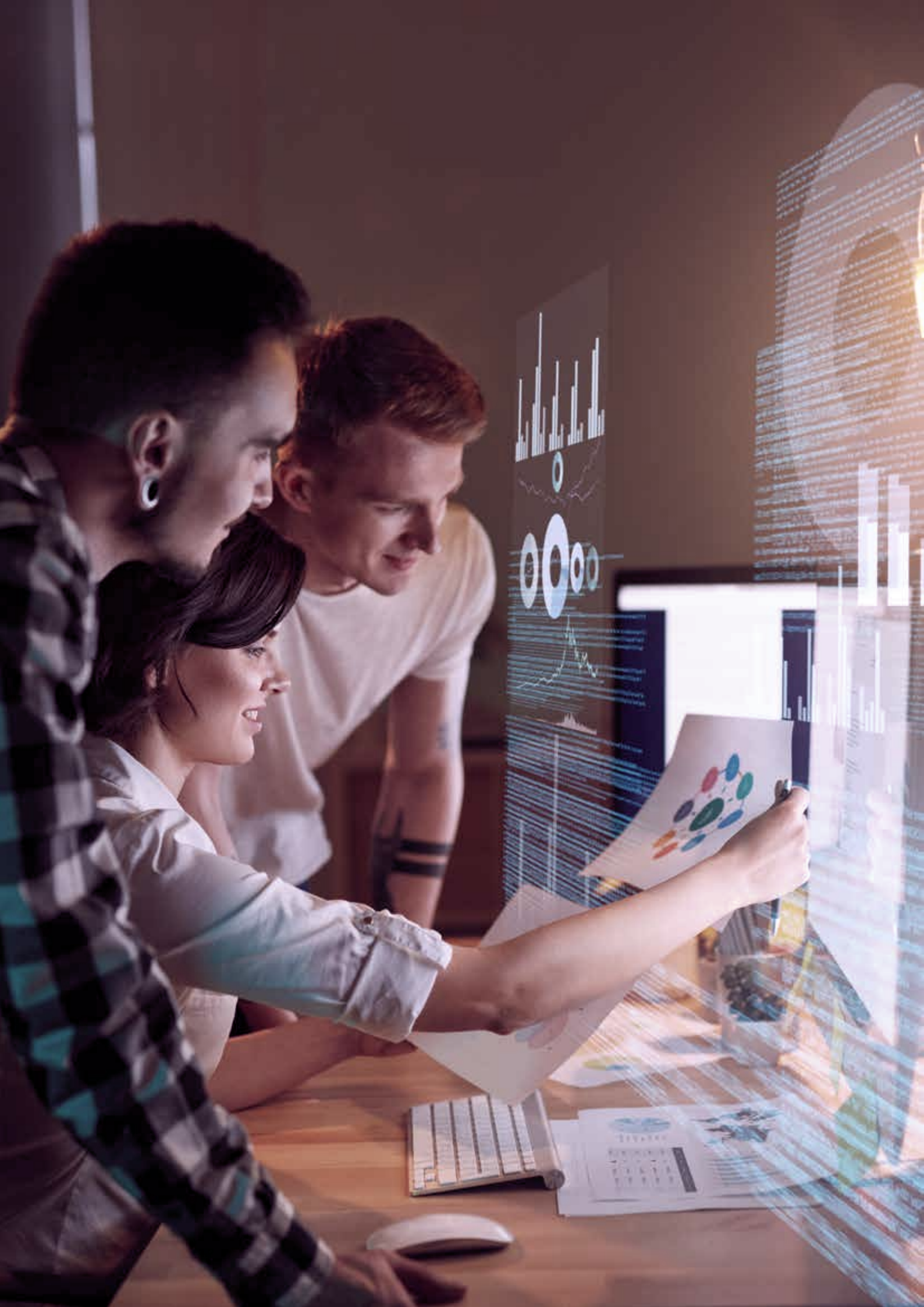
or leaders. 37 per cent that it will be harder to keep informed of all decisions. 12 per cent believe that it will be harder to get their voice heard at board meetings.

John Mayes of Randstad UK says: "I only started in this role a month before the crisis, so hadn't had long to build my network. My interaction with the rest of the executive team was greatly accelerated by lockdown. Legal were central in managing the crisis, helping to navigate some very ambiguous guidance and policy."

"Everyone's adapted really well in the short term, but the crisis has masked the challenges in building and maintaining relationships in a remote working environment, which will become evident the longer this goes on."

## What impact would an extended shift to remote working have on your relationship with your organisation's board or leadership team?





## There is a sharp difference between men and women when it comes to concerns around getting their voice heard at board meetings

Indeed, as many businesses expect a significant increase in remote working within the 'new normal', this concern around building professional relationships is not limited to board level. There is a common complaint that remote working misses the micro-interactions, the soft chit-chat and casual networking, which is essential in building strong and trusting business relationships. 77% of survey respondents indicated that they anticipate that they'll attend fewer physical leadership meetings in their new working life. This is particularly pertinent for lawyers looking to gain more of an influence at board level, and the survey responses outlined above indicate that many are concerned about their ability to gain that influence outside of the office.

Respondents provided a range of qualitative comments on the anticipated decline in physical interactions. One respondent stated that "virtual meetings will limit the opportunities to informally influence the future of the organisation." Another mentioned that while adapting in the short term has been okay due to having existing relationships, "as individuals leave/join it may be more difficult to build relationships and understand dynamics. The informal catch-ups could become fewer and less open."

Helen Lamprell, General Counsel at

Vodafone, expands on this, saying: "You have to distinguish between a fully functioning team that know each other well, and a team formed in a remote environment. In the long run, when you're recruiting, it could be a struggle to create professional bonds."

This will be something to bear in mind for the 88% of GCs who want to improve their standing with their board or leadership team to some extent.

### Will gender play a role in building relationships remotely?

When looking at responses by gender, men are eight per cent more likely to find it more challenging to build trusted relationships at board level, and seven per cent more likely to find it harder to understand the dynamics.

Interestingly, there is a sharp difference between men and women when it comes to concerns around getting their voice heard at board meetings. Just one per cent of men listed this as a concern, while 16 per cent of women did so. Many news organisations, including the **New York Times**, have run stories during lockdown commenting on the feeling among many female professionals that they have been 'drowned out' within virtual meetings.



Those concerns are reflected within the survey responses and should be something borne in mind by team leaders as they seek to create a level playing field within the 'new normal', particularly if some are working from home and some are in the office.

"Most companies have proven that it works when everybody works from home," says Lamprell. "The question is whether it will work when some are at home and some are in the office. I've sometimes found that when you're at home it's difficult to get a word in edgeways when joining a physical meeting."

Based on the survey findings, this concern may be a bigger one for female professionals.

## Impact on other professional relationships

Both in-house and private practice lawyers have been vital in steering businesses through the pandemic, often utilising their professional relationships to work in tandem.

While the worst of the economic ramifications of the pandemic are yet to manifest, the legal sector—both private practice and in-house—is going to be vital in getting the economy back on track. Indeed, 17 per cent of respondents feel that lawyers could best serve the economic recovery simply by

## Food for thought:

### Fostering strong working relationships

Legal leaders should explore what approaches—both formal and informal—that they can put in place to ensure they continue to forge and embed positive working relationships with their key stakeholders. Equally, they bear a responsibility to build an inclusive team culture that ensures that voices aren't marginalised, and that those with a greater physical presence do not have an unfair advantage or perpetuate under representation of others. Together, these action items will be the key to fostering a successful stakeholder relationship and positive team culture within the new working world.

'providing quicker risk-based advice.'  
15 per cent would like to see lawyers encourage 'business as usual', while 13 per cent feel lawyers could help to 'foster new ways of working.'

## Collaboration

Aiding the economic recovery will require cooperation between private practice and in-house lawyers, and lawyers will therefore need to maintain and build relationships in the new remote working environment. As is the case with regards to opinions around maintaining relationships at board level, there are concerns; however, many survey respondents are confident that bringing relationships with external counsel forward into the future of work will

Both in-house and private practice lawyers have been vital in steering businesses through the pandemic, often utilising their professional relationships to work in tandem

not be too difficult.

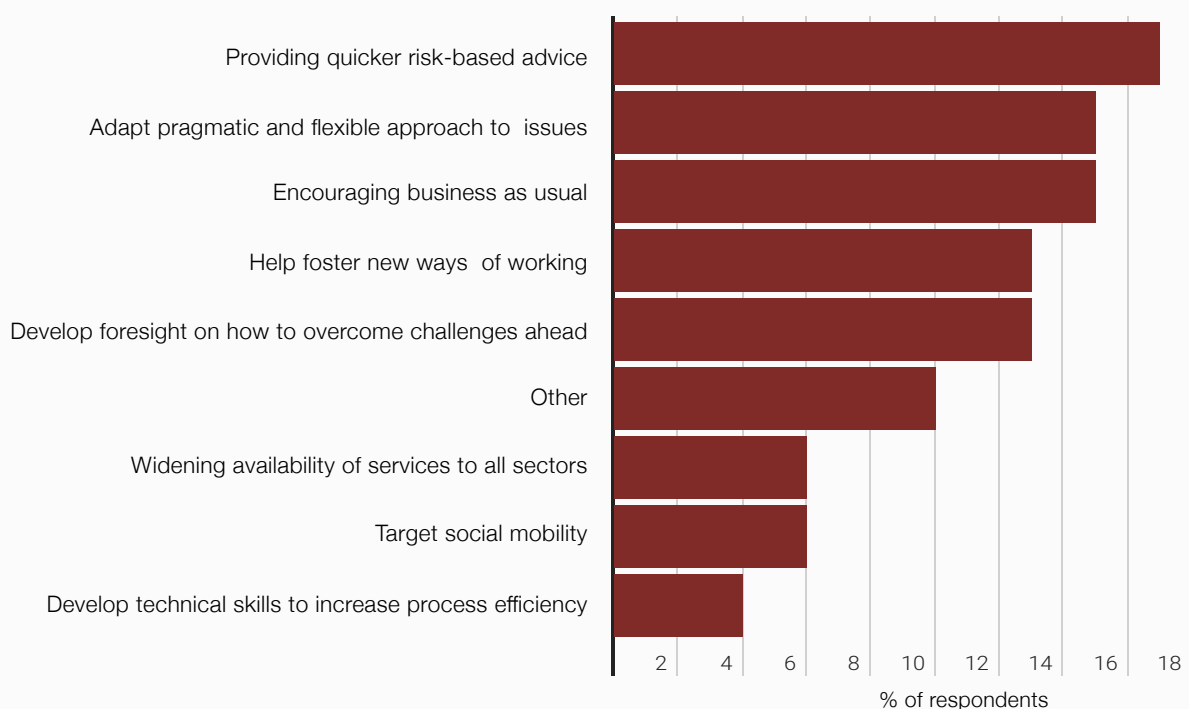
Of the legal heads surveyed, 32 and 38 per cent feel there will be no change to their relationship with external counsel in the short and long term respectively. Of those who do feel there will be a change in the short term, key concerns include an increased workload on in-house teams (selected by 16 per cent of respondents), an increased reliance on external counsel for resource intensive work (15 per cent of respondents) and an expectation to bring more work in-house (14 per cent of respondents),

In the long term, 17 per cent of legal heads feel they will bring more

work in-house rather than relying on external counsel, 14 per cent anticipated an increased workload throughout the in-house team, and 13 per cent anticipate an increased reliance on external counsel for resource intensive work.

“We expect to continue to collaborate very closely with our clients,” comments Suzanne Horne of Paul Hastings. “We serve clients in all corners of the globe, so are used to building relationships and working virtually and dynamically. Critical is our ability to partner with our clients to devise innovative solutions to existing challenges and the challenges of tomorrow and beyond.”

### What role can the legal sector (both in-house and private practice) play in the economic recovery?



# Conclusion

## The future of work is now

The in-house legal team of the future is going to be underpinned by resilience, agility, diversity, and technological expertise. Through the implementation of AI, which 61 per cent of respondents feel has accelerated during the pandemic, in-house lawyers will be able to spend less time on laborious tasks and more time adding value, 'being lawyers' and upskilling to partner with other senior leaders in the business.

There will be a balancing act here. With much of the world still gripped by the pandemic at the time of writing, there is much more learning through adaptation to go before that balance is found. Relevant considerations in the meantime will be the extent to which core relationships can be maintained, both with key stakeholders and other professionals, without the 'old norms' of regular physical interaction.


Again, technology here will be vital—the most successful in-house legal teams in the future of work will be the ones who learn how to build meaningful and lasting professional relationships while not in the room.

It isn't so much about where we work from than it is about how we work with regards to the use of technology, AI, and when joining meetings remotely.

In summary, this report set out to determine what the in-house role

is going to look like in the future of work, and the findings demonstrate that the response to the pandemic was not just a temporary fix made to weather an unprecedented storm; it was the bringing forward of a future that we were already headed towards—albeit on a slower trajectory.

Suzanne Horne of Paul Hastings concludes "The future of work is upon us and in-house has the opportunity now to influence what it looks like for them. What practices implemented during the pandemic can be refined and retained? What outdated norms can we leave behind, and what new approaches to teaming, lawyering and business partnering are on our wish list? This is a genuine opportunity to reimagine and reshape."



The future of work is upon us, and in-house has the opportunity now to influence what it looks like for them





# PAUL HASTINGS

If you would like to discuss any of the findings in this report, please contact:

Suzanne Horne ([suzannehorne@paulhastings.com](mailto:suzannehorne@paulhastings.com))

Sarah Pearce ([sarahpearce@paulhastings.com](mailto:sarahpearce@paulhastings.com))

Roger Barron ([rogerbarron@paulhastings.com](mailto:rogerbarron@paulhastings.com))