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Keeping the team together during draft season

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Post-pandemic, attracting and retaining staff is a key challenge for organisations around the world. The great resignation phenomenon swept through the US in early 2021 with 48 million people quitting their jobs in the wake of the pandemic. Australia has not escaped the trend, with the national turnover rate rising to 9.5% in the past year – the highest level since 2012.

Ongoing low unemployment levels in Australia do not suggest a mass exodus of workers. Rather, they reflect employees' sweeping refusal to work in jobs that don't make them happy or that don't suit their post-pandemic lifestyles. This is seen across the recruitment process, with 8 in 10 businesses reporting that they do not receive enough applications for job ads and that 59% of applicants lack the appropriate skills and qualifications.

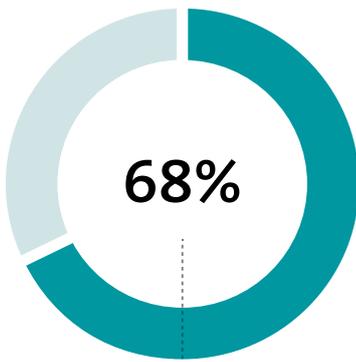
Legal teams have not been exempt from these alarming statistics. Skill shortages in the legal profession have plagued the Australian legal market for years and are now exacerbated by the current market conditions. All of this is creating a draft season for legal talent unlike any other.

These challenges make it even more important to understand how to keep the team together during draft season. To tackle this issue, Ashurst Advance Reach recently hosted a series of roundtable sessions, in partnership with the Association of Corporate Counsel (ACC), exploring how in-house teams can increase retention and attract key talent. Participants were Australian in-house lawyers reflecting a broad cross-section of locations, team sizes, organisation sizes and industries, including government, infrastructure, energy, oil & gas, mining, insurance, banking & finance, professional services, IT and marketing sectors.

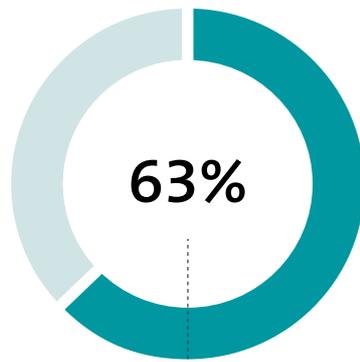
Our research also included surveying our national pool of Reach consultants to gain insights into what attracts them to roles, what influences their departures and what encourages them to stay. These consultants are legal professionals who are top-tier trained with deep in-house experience across various industries and sectors.

What makes people want to stay?

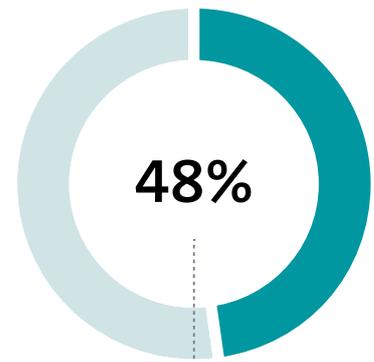
The results of the Consultant survey are clear: when it comes to retention, culture needs to be front of mind. Respondents were asked to rank the 3 factors most important to them in their last role. 68% said having access to challenging and interesting work, 63% having a great team or people to work with, and 48% ranked being made to feel valued. Slightly lower down the list were having a great manager (45%), flexibility and remote working (40%), and remuneration (33%).



HAVING ACCESS TO CHALLENGING AND INTERESTING WORK



HAVING A GREAT TEAM OF PEOPLE TO WORK WITH



BEING MADE TO FEEL VALUED

We shared these quantitative findings with the roundtable groups to prompt their qualitative insights.

The importance of culture as a retention factor was also acknowledged at the roundtable sessions. As one participant put it: “People who love their colleagues and respect their managers are far less likely to leave, even for more money”. Another observed: “Organisational values need to be lived, not stuck up on the wall in the lunch room”.

“Organisational values need to be lived, not stuck up on the wall in the lunch room”

For many of the roundtable participants, remote working and flexibility practices resonated as appealing factors. In the words of one participant, “Covid peeled back what work actually is and made me question why I need to go into the office”.

Many organisations have already responded to this general sentiment by moving towards a hybrid working model. These hybrid models vary widely. For example, at Ashurst we aim for 60/40 and have found designating team days

is a useful way to ensure teams are in the office together. Other organisations promote ‘purposeful attendance’, which recognises that employees want their time in the office to be well spent.

Competitive remuneration was also seen as a retention factor. One participant observed: “If someone is offered another role with more money, think about whether you can match the offer. It might seem unreasonable but you need to consider the replacement cost”. Generally speaking, it is more expensive to recruit and train someone than it is to match a salary offer. However, it’s important to ensure that doesn’t lead to remuneration fairness issues where quieter team members are penalised because the noisier ones are rewarded.

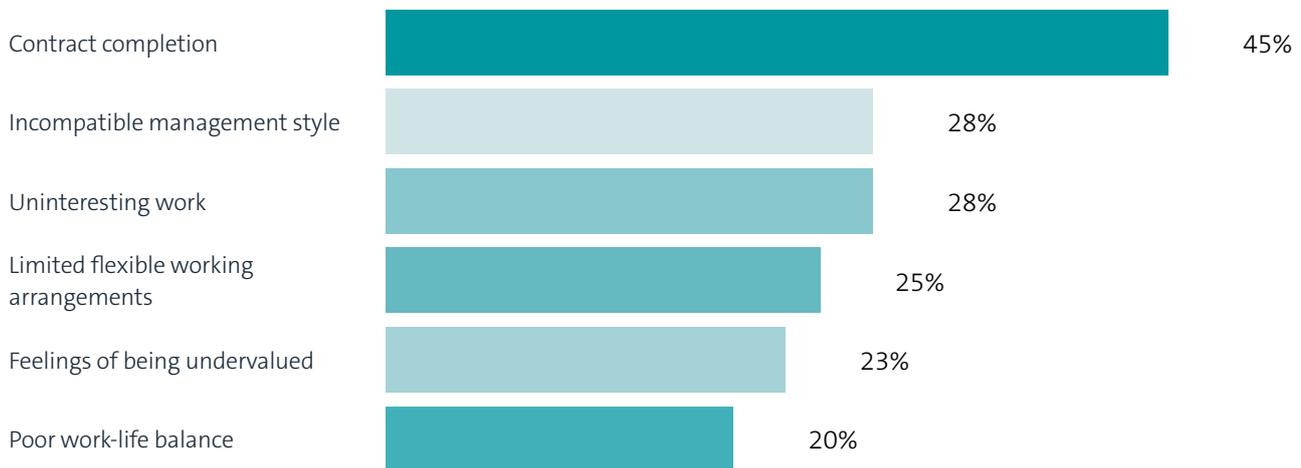
The escalation of private practice salaries, which is pushing teams to promote earlier, was also discussed. An unintended consequence of this can be broader team perceptions of a lack of parity, which can negatively impact team culture.

An astute observation by one roundtable participant was that it is important to understand the pain points and intrinsic motivations for key individuals through regular career discussions. Then you can find out “what makes them tick” and ensure you have the right tailored retention factors in place for a particular employee.



What makes our star players want to leave?

Setting aside contract completion (45%), our Consultant survey found many people left their roles due to an incompatible management style (28%) and/or uninteresting work (28%). Other factors influencing their decision to leave were limited flexible working arrangements (25%), feelings of being undervalued (23%) and poor work-life balance (20%). These sentiments were echoed by many of the roundtable participants.



Other issues resonating with all roundtable participants were access to flexible working arrangements, work that is not challenging or interesting, and a challenging corporate culture and/or environment.

Some suggestions that came out of the roundtable discussions for improving the type of work included pushing back non-legal work to the business, training and empowering business units, outsourcing, creating new roles on a temporary or permanent basis, and embedding counsel into project teams early. These steps were also seen as ways to position in-house legal teams as the go-to people for problem solving. Other suggestions included asking team members what work they want to do, engaging with team members to find their motivational drivers and losing the cookie-cutter approach to team composition. It was also noted that organisations should take care not to overload their superstars.

Roundtable participants suggested tech solutions could also help reduce low-level work. For example, an in-house team had implemented a ticket platform for the business to lodge enquiries. Someone in the team (rotated on a weekly roster) triaged the enquiries and then connected the business to a lawyer within the team.

Limited flexible working arrangements were also flagged as a retention issue in the roundtables. Anecdotally, most resistance seemed to come from people aged 20-30, who say they find it more difficult to be productive in the office as they face more interruptions. Roundtable participants also reported a disconnection within teams caused by remote working and hot-desking.

To address these issues, the participants identified a need to shift mindsets back towards meaningful in-person connections and to provide fairness for all with flexible options. Participants suggested that management should

lead by example, asking team members what would work for them as individuals and reflecting on what a good job looks like from the clients' perspective.

Other suggestions included creating team days in the office, putting in place a 60/40 remote working split, offering staggered start and finish times, encouraging people to come in to connect at specific times of day (e.g. 10 am to 2 pm to allow for school pick-up/drop-off) and offering different working hours (e.g. one global company allows its Australian legal team to work from 4 am to 1 pm). Mentoring was also seen as a key activity in promoting the retention of junior lawyers.

Participants also pointed out that having examples matter and suggested that promoting people on leave and celebrating leaders who take leave would create powerful cultural messages. Another suggestion was to embed wellbeing check-in processes, particularly where staff spend some or all of their time working remotely.

Opportunities for career growth and promotion offered by other organisations was a key issue across all three States. On the east coast, a high volume of work was seen as one of the largest barriers to retention, while on the west coast in-house teams were facing high salary expectations. Perth participants pointed to the fact that the local market is very hot at the moment, leading junior lawyers to often come into a recruitment process with extremely high expectations in terms of salary.

Participants identified that one of the issues causing high workloads is the inability to fill roles, or unwillingness to fill them with the wrong people, which contributed to extreme workloads. Participants said constant accessibility to the business via Teams also leads to people feeling burnt out and highly distracted.

Other issues resonating with all roundtable participants were access to flexible working arrangements, work that is not challenging or interesting, and a challenging corporate culture and/or environment.

BARRIERS TO RETENTION

During the roundtable sessions, we asked participants to complete a short survey to rate the top three barriers to retention that they have seen in their teams in the past six months.

MELBOURNE

1. *High volumes of work*
2. *Opportunities for career growth*
3. *Work-life balance*
4. Reward and recognition
5. Access to flexible working arrangements

SYDNEY

1. *Opportunities for career growth*
2. *High volumes of work*
3. *Work not being aligned to skillset*
4. Salary expectations
5. Work that is not challenging/interesting

PERTH

1. *Salary expectations*
2. *Reward and recognition*
3. *Opportunities for career growth*
4. Work-life balance
5. Challenging corporate culture/environment

What makes people want to join?

The results from the Consultant survey ranked the ability to work remotely (70%), either entirely or partly, as the most attractive benefit in their most recent role. This was followed by greater work-life balance (55%) and higher remuneration (50%).

These factors were acknowledged throughout the roundtable discussions, and fed into attraction strategies which focused on how to get the right candidates to apply and ways of better managing the recruitment process.

One participant pointed out that speed is critical. Organisations have to be ready to move quickly when recruiting or they will miss out on good candidates. That involves ensuring you have all the approvals in place and have put aside time to meet, shortlist and decide on your preferred candidate.

Another participant recommended pulling all the recruitment levers at once, including advertising on

jobboards, engaging recruitment agencies, using networks and tapping candidates on the shoulder. Someone else suggested getting creative with job advertisements. They had found that changing the angle of job advertisements to focus on the organisation's values and environmental objectives increased the number and calibre of applicants.

Another suggestion involved putting in place a recruitment panel consisting of three people, with at least one member having a non-legal role. The roundtable participant said this approach reflected well on their organisation from the candidate's perspective, and effectively engaged important internal stakeholders.



The game changers

Common themes emerged across our two surveys and the three roundtable sessions. The top ones were the importance of having flexible working arrangements, offering interesting work and making people feel valued.

Organisations that can address these game-changers in a meaningful way are far more likely to keep their stars and attract new talent in this challenging employment market.





A large stadium filled with fans, with a player's legs in the foreground. The stadium is packed with people, and the lights are on, creating a bright atmosphere. The player's legs are in the foreground, wearing blue shorts and white socks with red and black stripes at the top. The background shows the stadium seating and the roof structure.

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REACH

Ashurst Advance Reach is a premium legal flexible resource offering. Home to talented and experienced lawyers and paralegals who shine in their careers.

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