



# **D&I AT CLAYTON UTZ:**

*Year in Review: FY2020*

CLAYTON UTZ

FY2020

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## INTRODUCTION

Clayton Utz has a comprehensive Diversity and Inclusion (D&I) Strategy. It focuses on creating an inclusive workplace through a combination of building a diverse team, acknowledging the intersection of diversity streams, developing inclusive leadership skills, and ensuring that we consider D&I in everything we do at the Firm.

**We focus on five streams (and their intersection):**

- ▶ Gender;
- ▶ LGBTIQ;
- ▶ Accessibility (disability);
- ▶ Cultural diversity; and
- ▶ Aboriginal and Torres Strait Islander peoples.

in addition to Flexible Working.

### ***Diversity Council***

The Clayton Utz Diversity Council helps to set the Firm's diversity and inclusion strategy and develops initiatives to give priority to diversity in the workplace. Our Chief Executive Partner leads the Diversity Council, and members include our Board's Chair, Partners-in-Charge and National Practice Group Leaders.

### ***"Momentum"***

Our "Momentum" program of activity and initiatives has successfully evolved from being focused on gender to embracing all diversity streams, celebrating both difference and commonality.



# GENDER

## Objectives

Our objectives for FY20 included:

- ▶ retaining Workplace Gender Equality Agency (**WGEA**) status as an "Employer of Choice for Gender Equality";
- ▶ working towards barrister equitable briefing targets; and
- ▶ engaging with our LGBTIQ women.

## Progress FY20

We were delighted to again be recognised as an Employer of Choice by WGEA early in 2020. The number of organisations achieving this status dropped from 141 to 119, which reflects how high the bar has become. Additionally, we were proud to be featured in a recent report prepared by the University of Queensland on WGEA Employers of Choice.



We continue to work towards the Law Council of Australia's targets for equitable briefing. Having reached the 30% target for junior counsel, we now have a particular focus on improving our senior female briefing statistics. We have real-time data available to our senior lawyers and partners on their briefing practices.

Our accreditation has been granted for the 9th year as a Breastfeeding Friendly Workplace, and is and recognition as meeting "best practice" for current standards.



We are proud of our support for LGBTIQ women – through both internal activity and through our relationship with Pride in Diversity. In September 2019 we hosted a LGBTIQ women conference with our clients (and recently we held a follow-up conference on a virtual platform).



# GENDER (CONTINUED)

## Other important progress to report includes:

Ongoing engagement with industry bodies as well as the charitable and Not-for-profit community around gender equality. For example:

- ▶ Good Return is an initiative of World Education Australia Limited, focused on responsible microfinance and skills development to enable people living in poverty to grow their incomes and change their lives sustainably. The Firm supports Good Return by providing pro bono legal support and hosting awareness building fundraising events.
- ▶ Working with our Community Partners, Dress for Success Sydney and Fitted for Work who provide services that empower women to achieve economic security through employment. We volunteer with these organisations, provide pro bono support, in-kind services and financial grants via the Clayton Utz Foundation.
- ▶ Our Brisbane office held a "Women's Workshop" in collaboration with Save the Children's Jebb Refuge which focused on interview preparation, conflict resolution and basic computer skills for women impacted by domestic and family violence.
- ▶ On Equal Pay Day 2019, the Firm provided multiple hampers to the Women's Legal Service Queensland, which contained items for victims of domestic and family violence. Each hamper totalled \$241, representing the difference in weekly earnings between women and men.
- ▶ We are active members or sponsors of the Diversity Council of Australia (DCA), Women in Banking and Finance and Women on Boards, Diverse Women in Law in addition to involvement with industry groups such as Victorian Women Lawyers and Women Lawyers NSW.



Continuation of our "Momentum" initiative, which includes a focus on gender. This is both an internal and external facing D&I program. In FY20 our events included:

- ▶ The annual "Long Table" dinner in our Perth office with Michael Parker (former Chair and MD of Alcoa Australia) as guest speaker.
- ▶ Our Annual Sydney Momentum event (held in February 2020) with guest speakers Diane Grady, Mundanara Bayles and Kevin McCann. Together they explored whether gender equality, and diversity and inclusion more broadly, are part of a futureproofing strategy for progressive organisations.
- ▶ An International Women's Day panel event – reflecting on the importance of the day and this year's central theme, "Each for Equal". Along with representatives from Clayton Utz, we were joined by Rachel Francois (Barrister and Chairperson of NSW Women's Electoral Lobby) and Vicki Hartley (Chartered Accountant and Chairperson of Dress for Success).
- ▶ A webinar with the Sex Discrimination Commissioner (Kate Jenkins) who came to speak with us about the landmark Respect@Work report. The report, published by the Australian Human Rights Commission (AHRC) on the National Inquiry into Sexual Harassment in Australian Workplaces, shares insights on sexual discrimination in the workplace, as well as the future outlook for improvement.
- ▶ A practical (virtual) session with author and well-respected financial adviser, Kate McCallum. Kate discussed her observations on the state of the Australian economy and shared information and stories from her recent book The Joy of Money.
- ▶ An internal virtual panel session on: Parenting, Flexible Working and living through the time of COVID-19.





# FLEXIBILITY

## Objectives

Clayton Utz prioritises flexibility as a strategic and policy imperative.



## Progress FY20

In December 2019 we refreshed our flexibility policy, which is principles-based and leverages what we have learnt. We have a series of eight principles which set the tone for flexibility discussions. It is about a flexible arrangement being good for the individual, good for the team and good for the Firm and our clients.

We took the opportunity with the new policy to modernise the language and to make it absolutely clear that flexibility is gender- and reason-neutral. We have a very broad definition of what constitutes flexible working. Flexible work arrangements can be accessed for study, eldercare, community participation, childcare, health, wellbeing and lifestyle pursuits. They can be formal or informal, regular or ad hoc, and can include variations to the standard hours and/or location of an employee.

Our policy has responded well to COVID-19. In the first half of 2020 our focus was on supporting the business in transitioning to remote work. We have been very successful in supporting our people at all stages of the pandemic, from total lockdown to the transition back to the office. It has put us in a good position to navigate the complexities for the Firm during this period and beyond.



# LGBTIQ INCLUSION

## Objectives

Our objectives in FY20 were anchored by our LGBTIQ program's Charter which emphasises the following goals:

- ▶ fostering a LGBTIQ inclusive culture;
- ▶ supporting and encouraging LGBTIQ people in the Firm;
- ▶ connecting with the broader LGBTIQ community;
- ▶ promoting our program and engaging with industry and external stakeholders; and
- ▶ developing internal policies, training, education, practices and other services and initiatives.

A further goal was to retain our status as an AWEI Gold Employer under Pride in Diversity and become a Platinum Qualifier.



## Progress FY20

In 2020 we were proud to be recognised for the fourth time as a 2020 AWEI "Gold Employer". We will now complete a Platinum Qualifier project in 2020 to obtain Platinum Employer status. Platinum Employers / Qualifiers are organisations that have consistently been placed amongst the highest performing organisations in LGBTIQ inclusion in the previous 5 year period. This award is a reflection of several key areas of progress, including:

- ▶ leveraging the Firm's strong Pro Bono practice for the benefit of disadvantaged members of the LGBTIQ community;
- ▶ acknowledging the key LGBTIQ calendar dates – harder in a COVID-19 world – but IDAHOBIT was marked by a national trivia evening;
- ▶ building awareness of trans and gender diverse people, including updating our Gender Diverse and Gender Affirmation policy;
- ▶ improving the participation of our LGBTIQ women and their sense of belonging and connection at work. We held our first LGBTIQ Women's conference in September 2019 (and again in 2020), where our LGBTIQ Women and allies were joined by clients to discuss issues that were relevant to them; and
- ▶ sponsoring and partnering with organisations such as the Inner City Legal Centre in Sydney, Brisbane Pride and Fair Day in Canberra.

35% of our workforce are LGBTIQ allies and we were pleased to see an increase in the number of people who identified as LGBTIQ in our 2020 engagement survey.

We participated in the 2020 AWEI survey and results confirmed our strong progress as an LGBTIQ inclusive workplace. For example:

- ▶ **75% of LGBTIQ partners and employees said active allies within the firm had positively impacted their sense of inclusion; and**
- ▶ **84.43% of our LGBTIQ people know who the active executive allies are within our firm**

We delivered our Annual Diversity Lecture to university law students in May 2020. Led by partners Cilla Robinson and Kym Fraser with Melbourne lawyer Katie Cameron, the topic this year was the contentious Religious Discrimination Bill – of particular relevance to the LGBTIQ community.

We also had the opportunity to catch up with our good friends at Parents of Diverse Children who through a webinar format gave us an update on law reform (and implementation) in respect of gender diverse children.



# CULTURAL DIVERSITY

## Objectives

We want Clayton Utz to be a culturally sophisticated firm and meet the objectives of our large law firms Cultural Diversity Charter.

Our strategic priorities include a focus on **internal action**, including:

- ▶ authentic leadership;
- ▶ consultation/interest groups;
- ▶ best-of-breed education and training; and
- ▶ measurement and monitoring;

as well as a focus on:

- ▶ our **supply chain**; and
- ▶ **external engagement** – such as working with our industry stakeholders and our clients alongside social impact activity.

## Progress FY20

- ▶ In August 2019 we were recognised for our cultural diversity efforts in The Australian newspaper.
- ▶ We have developed a cultural capability training module which raises awareness of cultural differences and enhances capability to work effectively with global colleagues and clients.
- ▶ We participated in Sydney University/AHRC's Fellowship program.
- ▶ We are members and a sponsor of the Asian Leadership Project (focusing on accelerating Asian talent). We are the C-Suite panel series sponsors and back in August 2019 we hosted the "Asian Leadership Project" inaugural National Conference with guest speakers such as Benjamin Law, Vivek Bhatia (QBE) and Swati Dave (EFIC).
- ▶ In addition, we are proud to be an active member of the Asian Australian Lawyers Association and engage with Diverse Women in Law – a Sydney-based not-for-profit organisation aiming to promote and support diverse women lawyers and law students.
- ▶ We have been able to continue to track the cultural diversity of our people through both our regular engagement surveys and our HR IT management system which now allows our people to provide information about their cultural background on a voluntary basis.





# ACCESSIBILITY & INCLUSION

## Objectives

We want to create an environment and culture at Clayton Utz that enables our people with all types of disability, and those who care for someone with a disability, to succeed.

We also want to improve accessibility and inclusion for our clients.

Another important objective for the Firm is to create a workplace where there is no stigma attached to mental health and one where all partners and employees are encouraged to feel safe and open about their mental health and wellbeing.

## Progress FY20

- ▶ We continue to implement our registered Accessibility & Inclusion (Disability) Action Plan. It is our roadmap for further progress and recent developments include building greater awareness of the Reasonable Adjustment policy in the current COVID-19 climate, particularly in respect of "vulnerable employees".
- ▶ In our 2020 Pulse Survey, we were pleased to see that a growing number of our people are prepared to disclose having a disability. Furthermore, the "sustainable engagement" score of those people improved considerably on our 2018 survey result.
- ▶ We are an active member of the Australian Network on Disability (**AND**) and benefit from its disability confidence training as well as the opportunity to attend its Roundtables. 
- ▶ In 2020 we won the Queensland Law Society's Workplace Culture and Health Award (organisational category)
- ▶ Earlier in the year, the Disability Discrimination Commissioner Ben Gauntlett came to speak to us about the role of the Commissioner, how COVID-19 is affecting Australians with disability, and also how organisations like Clayton Utz can better commit to accessibility and inclusion. 
- ▶ We also achieved the following mental health milestones:
  - ▶ We are the first law firm to be a Gold accredited workplace by Mental Health First Aid Australia. 
  - ▶ We are a founding member of the Corporate Mental Health Alliance Australia.
  - ▶ We received the Marsh Excellence in Employee Health and Wellbeing Award. 
  - ▶ We maintained our numbers of Mental Health First Aiders and Mental Champions at over 210.
  - ▶ From February 2020 our mental health focus has been on managing the impact of COVID-19 – supporting Partners and employees and investing in key mental health initiatives. This has included firm wide sessions delivered by the National Mental Health Manager on the psychological impacts of COVID-19, the psychological impacts of returning to the office during the pandemic and Resilience and Strengthening Wellbeing during COVID-19. Over 20 sessions were delivered in FY20.



# ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES

## Objectives

The Firm has proudly had a Reconciliation Action Plan (**RAP**) since 2010.

With our Innovate RAP ending in June 2020, our objective is to reflect on our learnings, challenges and successes of our RAP journey so far, and to advance towards the "Stretch" level.

## Progress FY20

- ▶ We continue to work towards our "Stretch" RAP.
- ▶ We are proud to participate in CareerTrackers internship program, creating opportunities for First Australian students to experience our workplace and potential pathways into employment at the Firm. In FY2020 we welcomed five CareerTracker interns to our Brisbane, Sydney and Melbourne offices. 
- ▶ We continue to leverage the benefits of "Rare" in our graduate lawyer application process – a contextual recruitment system (**CRS**) which allows us to understand each applicant's achievements, skills and experience in the context that they have been gained.
- ▶ We've developed a new National Procurement Policy that facilitates social procurement – with a focus on Aboriginal businesses and social enterprises. The policy includes procurement targets for Aboriginal business spend. Our spend from First Australian businesses was over \$569,000, up 5% from the year before.
- ▶ Our people continue to participate in volunteering opportunities with our Community Partners, including the Wirrpanda Foundation's Deadly Sista Girlz program, The Wayside Chapel's Aboriginal Project meal program and the Ganbra Homework Club at Wanniasa School in Canberra.
- ▶ We financially support our community partners through the Clayton Utz Foundation, with over \$180,000 in grants being distributed to programs for Aboriginal and Torres Strait Islander peoples in FY20.
- ▶ Our Perth office hosted a panel event for clients on the Australian Government's approach towards achieving Constitutional recognition for First Australians. The panel included:
  - ▶ Fred Chaney, former Minister for Indigenous Affairs;
  - ▶ Celia Hammond MP, Federal Member for Curtin;
  - ▶ Carol Innes, Chair, Reconciliation WA; and
  - ▶ Damien Freeman, Australian Catholic University.
- ▶ We held educational seminars on the Uluru from the Heart Statement, hearing from Professor Anne Twomey and Dr Shireen Morris about constitutional recognition for Aboriginal and Torres Strait Islander Peoples.

|                        |                           |                          |                               |                             |                             |
|------------------------|---------------------------|--------------------------|-------------------------------|-----------------------------|-----------------------------|
| <b>Sydney</b>          | <b>Melbourne</b>          | <b>Brisbane</b>          | <b>Perth</b>                  | <b>Canberra</b>             | <b>Darwin</b>               |
| <b>Level 15</b>        | <b>Level 18</b>           | <b>Level 28</b>          | <b>Level 27</b>               | <b>Level 10</b>             | <b>17–19 Lindsay Street</b> |
| <b>1 Bligh Street</b>  | <b>333 Collins Street</b> | <b>Riparian Plaza</b>    | <b>QV.1 Building</b>          | <b>NewActon Nishi</b>       | <b>Darwin NT 0800</b>       |
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