

A decorative graphic of a paper chain made of interconnected paper figures, rendered in shades of gray, spans the width of the page. The figures are stylized with circular heads and angular bodies, holding hands to form a continuous chain.

# **D&I AT CLAYTON UTZ**

*Year in Review: FY2019*

CLAYTON UTZ

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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.

### Our priority diversity streams are:

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

### *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.

### *"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 FY19 included:

- ▶ achieving WGEA Employer of Choice for Gender Equality status
- ▶ staying on track with our female partner target of 35% female partners by 2022
- ▶ striving to meet the Law Council of Australia targets for Gender Equitable (barrister) briefing,
- ▶ engaging externally on the subject of gender equality, and
- ▶ combatting discrimination and sexual harassment as well as "casual sexism".

## Progress FY19

We were delighted to again be recognised as an Employer of Choice for Gender Equality by the Workplace Gender Equality Agency (WGEA) in March 2019. This signifies our commitment to gender pay equity, flexible work and progressive parental leave provisions amongst other things. Our strong performance was also recognised by the NSW Law Society when we were named the winner of the inaugural Charter for the Advancement of Women in the Legal Profession Award at their First 100 Years of Women in Law dinner at Parliament House in Sydney in November 2018. We are a signatory to the Charter which is designed to promote and support the retention and advancement of women in the legal industry, and the award recognised the Firm's efforts on this front.

We remain on track with our 2022 female partner target.

We continue to work towards the Law Council of Australia's targets for equitable briefing and 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 regarding their briefing practices.

Our Chief Executive Partner (CEP) Rob Cutler is visible externally as an advocate for gender equality through his role as a WGEA Pay Equity Ambassador and as a Federal Government BoardLinks Champion. Rob is a member of the Managing Partners' Diversity & Inclusion Forum, a collaborative initiative among law firms for enhancing diversity and inclusion within the profession. Through this forum, we have shared issues and concerns around gender equality and have worked on ideas together. This is also the forum through which the firm has participated in the "Law Firm Flexibility by Design Project" discussed below.

In 2018 we implemented face-to-face training for all Partners and employees concerning Discrimination, Sexual Harassment and Bullying. This has been supplemented by rolling out face-to-face "Casual Sexism" awareness compulsory sessions with our Partners led by our Workplace Relations partners. Other important initiatives have been communicating our revised Drug and Alcohol policy early in 2019 and introducing Contact Officers in each of our offices - an additional group that an employee or Partner can contact if they have been subjected to inappropriate behaviour.



## GENDER (CONTINUED)

### ***Other important progress to report includes:***

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

Supporting LGBTIQ women internally and through our relationship with Pride in Diversity and Out For Australia.

### **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. Our Deputy CEP (People and Development) is the Board Chair and the Firm supports Good Return by providing pro bono legal support and hosting awareness building fundraising events
- ▶ We are a member of the Diversity Council of Australia (DCA)
- ▶ We are a corporate sponsor of Women on Boards and host lunches, events and training sessions in several of our offices
- ▶ Our Deputy Chief Executive Partner Kate Jordan is a member of Chief Executive Women.



### **Continuation of our "Momentum" initiative which includes a focus on gender. This is both an internal and external facing D&I program. In FY19 our events included:**

- ▶ Hosting Julie Bishop in Sydney for a fireside chat with our junior lawyers on International Women's Day
- ▶ Hosting leading Non-Executive Director, Diane Smith-Gander in Perth
- ▶ Hosting Lord Mayor Sally Capp in Melbourne
- ▶ Hosting networking and mentoring evenings along with Pride in Diversity and Out For Australia for LGBTIQ women
- ▶ Presenting at Macquarie University's Innovation hub on the subject of image-based abuse.





# FLEXIBILITY

## Objectives

The primary objective of our Flexibility Strategy is to build "a culture of flexibility at Clayton Utz through increasing the normalisation and utilisation of flexible work as part of the way we work at all levels across the business". To do this we have policies on flexible working, working from home, additional hours and purchasing of additional leave, all supported by an intranet portal with online resources and significantly, the Firm's National Flexibility Manager. The National Flexibility Manager provides firm wide training as well as tailored individual coaching and guidance to maximise the utilisation of flexibility at Clayton Utz.

The Flexibility strategy and associated policies recognise that, while work is an important part of our lives, it is critical that we have a work environment in which people can balance their unique and changing needs both at work and in their personal lives during their different life and career stages. Flexible work arrangements are available and can be accessed for study, eldercare, community participation, childcare, health, wellbeing and lifestyle pursuits.

## Progress FY19

Flexible work arrangements can be formal or informal, regular or ad hoc, and can include variations to the standard hours and/or location of an employee. For example, this may include working variable start and finish times, job sharing, working part-time, working from home or another remote location, phased retirement, and additional leave arrangements. We have seen an increase in people accessing flexible working arrangements (both formal and informal). 64 per cent of people say they access some form of flexibility in the most recent CU Engage survey (late 2018). This represents a 10 per cent increase from 2016.

In addition to the Firm's national Flexibility Manager, the Firm has a Flexibility Advisory Group (FLAG) which meets through the year to discuss steps we can take as an organisation to support a more flexible workplace.

On 22 May 2019, in recognition of Flexible Working Day, Clayton Utz was featured in the FlexCareers Annual Flexibility Report. The story highlighted the Firm's flexibility journey and shared the story of Alexandra Rose, Partner.

Clayton Utz is an Endorsed Employer on Work180, an international job board that publicly lists our stance on specific areas of diversity and inclusion. All Clayton Utz vacancies will now be advertised on Work180.





# LGBTIQ INCLUSION

## Objectives

Our objectives in FY19 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.



**"I am relatively new to my organisation. From the very beginning there were visible signs (eg. rainbow flags and badges) that represent an inclusive work place and senior leaders as welcoming role models. As an LGBTI person I have felt included and supported from the get go."**

## Progress FY19

In May 2019 we were proud to be recognised for the third time as a 2019 AWEI "Gold Employer" (and in fact we were Number Two). This award is a reflection of several key areas of progress, including:

- ▶ ongoing education and awareness raising. We demystify LGBTIQ terminology and concepts through awareness sessions delivered by Pride in Diversity (for both our people and also our stakeholders)
- ▶ leveraging the Firm's strong Pro Bono practice for the benefit of disadvantaged members of the LGBTIQ community
- ▶ acknowledging the key LGBTIQ calendar dates through panel discussions, morning teas and fundraisers and/or Firm-wide communications via our intranet
- ▶ building awareness of trans and gender diverse people. We've also championed transgender recognition in sport
- ▶ improving the participation of our LGBTIQ women and their sense of belonging and connection at work - including partnering with Pride in Diversity's Sapphire initiative
- ▶ sponsoring and partnering with organisations such as Out for Australia, the Inner City Legal Centre in Sydney, 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 2018 engagement survey.

We participated in the 2019 AWEI survey and results confirmed our strong progress as an LGBTIQ inclusive workplace. For example:

- ▶ **98%** said that they personally support CU's focus on LGBTIQ workplace inclusion
- ▶ **96%** felt that being out had a positive impact or made no perceivable difference on opportunities offered or career progression



# 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:

- ▶ authentic leadership
- ▶ consultation/interest groups
- ▶ best-of-breed education and training
- ▶ external engagement (clients, industry and the profession)
- ▶ measurement and monitoring, and
- ▶ recruitment.

## Progress FY19

We're talking with thought leaders around cultural diversity, gathering and reporting data on cultural diversity and focusing on professional development for cultural diversity and inclusive leadership.

- ▶ We are proud to be an active member of the Asian Australian Lawyers Association.



- ▶ We participate in Sydney University/AHRC's Fellowship program.

- ▶ We are members and a sponsor of the Asian Leadership Project (focusing on accelerating Asian talent) and have participated in a series of events including hosting its C-Suite series and its launch event in Queensland.



- ▶ We share stories of our people via our intranet.
- ▶ We have actively adopted the "Rare" contextual recruitment tool for our summer clerk recruitment process.

- ▶ Since 2017 we have worked with CareerSeekers to recruit refugee interns.



- ▶ In 2018 we captured comprehensive cultural diversity data through both our 2018 engagement survey and through a joint survey with seven other law firms. This has given us a baseline of data for future benchmarking.



# 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 FY19

- ▶ In 2018 we established a dedicated Accessibility & Inclusion Steering Group.
- ▶ We're proud to have recently registered our first Accessibility & Inclusion (Disability) Action Plan with the Australian Human Rights Commission. It is now our roadmap for further progress and recent developments include ensuring our client CLE TV video suite includes captions and developing checklists for event planning and for marketing and communications.
- ▶ We are an active member of the Australian Network on Disability (AND) and benefit from its disability awareness training as well as the opportunity for our people to be involved with its PACE mentoring program.
- ▶ In FY19 we achieved the following mental health milestones:
  - ▶ Increased our numbers of Mental Health First Aiders and Mental Health Champions to over 210.
  - ▶ Became the first law firm to be a Gold accredited workplace by Mental Health First Aid Australia.
  - ▶ Became a founding member of the Corporate Mental Health Alliance Australia.
  - ▶ Appointed a National Mental Health Manager - a first for an Australian Law Firm.





# ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES

## Objectives

The Firm has proudly had a Reconciliation Action Plan (RAP) since 2010 and currently has an Innovate RAP.

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 FY19

- ▶ Our RAP has informed our procurement policies with over \$540,000 in procurement from First Australian businesses in the last year. Our people also 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 Australian Red Cross Remote Holiday Program in the Tiwi Islands. We financially support our community partners through the Clayton Utz Foundation, with over \$192,000 in grants being distributed to programs for Aboriginal and Torres Strait Islander peoples in FY19.
- ▶ In 2019 the Firm committed to the joint law firm statement endorsing the recommendations of the Uluru Statement from the Heart.
- ▶ We are proud to now participate in CareerTrackers internship program, creating opportunities for First Australian students to experience our workplace and potential pathways into employment at the Firm.



<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>
<b>Sydney NSW 2000</b>	<b>Melbourne VIC 3000</b>	<b>71 Eagle Street</b>	<b>250 St Georges Terrace</b>	<b>2 Phillip Law Street</b>	<b>+61 8 8943 2555</b>
<b>+61 2 9353 4000</b>	<b>+61 3 9286 6000</b>	<b>Brisbane QLD 4000</b>	<b>Perth WA 6000</b>	<b>Canberra ACT 2601</b>	
		<b>+61 7 3292 7000</b>	<b>+61 8 9426 8000</b>	<b>+61 2 6279 4000</b>	

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