

BRIEFING PEOPLE

Hop performers

Lewis Silkin partner Laura Farnsworth tells Richard Brent why her launch of the firm's flexibly resourced fixed-fee offering, rockhopper, was a step forward in the fields of both client relationships and people management



Friday, 17 May 2019 was National Work from Home Day, which came at the end of this year's 'Work Wise Week'. The idea behind both is to highlight what many see as increasingly unnecessary rigid working patterns: for example, spending an hour or two commuting in to a busy office for 8.30am, five days a week, before making the same arduous return journey in the evening (if you're lucky).

To be fair, the legal profession is now a couple of years into an 'agile working' movement. Plenty of firms have set out their flexible-working arrangements that are supposedly that extra bit more flexible than they were already obliged to consider for people. That might involve a moveable day a week working from home, perhaps later starts or early finishes, or even the odd job share, among other options. Some hotdesks have materialised, perhaps even allowing you to stand behind them – but a workplace revolution, one

suspects, this probably isn't yet.

Five years ago, Lewis Silkin partner Laura Farnsworth realised her firm could go further – but interestingly the lightbulb moment concerned retention of clients, not just employees.

"It began when I'd returned from a period of maternity leave as a new junior partner. On the first day back, I discovered we'd lost a big client that had been a significant bulk of my work. It had been offered a low-cost, fixed-price deal for all day-to-day employment work by another provider, and even though the client found the quality of the advice to be far less commercial than ours, it couldn't persuade the finance director that it was worth paying our higher fees."

In the immediate disappointment, however, lay a seed of longer-term opportunity. "Did this mean we were at risk of losing other work?" says Farnsworth. "It helped us to appreciate that clients were distinguishing between the business-critical, commercially sensitive or specialist issues that

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justified paying traditional law firm rates and the day-to-day employee-relations issues that didn’t.” As a leading firm for employment law, Lewis Silkin naturally wanted to be able to support clients with both while not compromising on the high quality that clients associated with the firm.

“By meeting clients’ cost requirements in the higher-volume areas, of course there was also the sense that we would be able to maintain the relationship for the higher-level work.”

Retain reaction

Meanwhile, another risk factor was starting to surface. Farnsworth explains: “We realised we were at risk of losing two of our senior, talented lawyers. One was relocating to somewhere that wasn’t commutable to any of our offices; another had just had her third child and wanted to work part-time from home. They didn’t want to leave and we didn’t want to lose them, but they needed to work in a way that wasn’t compatible with a traditional law firm.”

The result was rockhopper, which Farnsworth launched and continues to manage. It’s a fixed-fee HR support service for clients providing a helpline for day-to-day queries, handbook/contract reviews and defence of low-value employment tribunal claims. The Lewis Silkin-exclusive lawyers providing it work from home on different terms and hours that suit their personal circumstances. “Working from home means lower overheads in any case, and we could pass that cost saving straight onto the clients,” says Farnsworth.

The model launched in 2014, with two lawyers simply working a morning or afternoon shift each. Today they are 16-strong, and in 2018 the team picked up best innovation at the Working Families

Best Practice awards.

“It was a very soft launch originally,” she recalls. “We were careful about where and how we were marketing, and largely looking for business where there wasn’t yet a relationship because some concern was expressed about whether a low-cost service could cannibalise the core business.” It took a year or so for people to fully appreciate that the opposite was happening – it was enabling the firm to access a part of the market that was previously closed to it owing to cost.

“By design, rockhopper was primarily for businesses in the retail and hospitality sector, which tend to have a lot of staff on relatively low wages and see frequent conduct and performance issues,” she continues. “These still make up the bulk of our client base, but we provide the service to a wide range of organisations in many sectors. Some of these were startups, and the relationship has grown as they have – new requirements for more specialist advice have arisen, from GDPR compliance to immigration.” Today the majority of rockhopper clients do touch another part of the firm’s offering in some way, she says.

Questions of trust

Clients aren’t just applying pressure to reduce the cost of legal services. There’s also the matter of exactly who is providing their service; in particular, does the makeup of teams suggest firms are doing their bit to improve diversity in business?

“The rockhopper team is currently all women. Many, but not all, are mothers,” says Farnsworth. “Clients seem to appreciate this as a way of helping people to maintain their legal careers with a decent work-life balance, rather than resigning and leaving the profession – or having a long career break and finding it hard to return.”

Most of these lawyers worked for many years in Lewis Silkin’s main employment team before transferring to rockhopper, and two were partners, she adds. “We recruited some external hires this year, and we had to have a rigorous recruitment process in order to maintain the high quality and consistency of advice. So far it’s been very successful and all of our new joiners have been word-of-mouth referrals from others in the team.”

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While other outfits are also likely to make the point that “trust” in a consistent standard of service is fundamental to the brand, in this case it’s even more important, given their working arrangements, she says.

The lawyers of rockhopper provide three fixed-fee services, she explains. “The first is a telephone and email helpline. Clients are given one telephone number and email address, and whoever is available when the query comes in picks it up. There will typically be seven or eight lawyers working at any one time, so response times are very quick, and we have a secure online portal where the detail of queries and advice is recorded, so one person can quickly pick up where another left off. Clients also have access to that log, which they can customise – making it easy to spot training needs and themes – alongside accessing standard template policies, letters and contracts.

The other services are fixed-fee defence of employment tribunal claims and employment handbook and contract reviews, and this work is allocated to one lawyer for its duration.

A typical work volume is around 40% of the hours of a full-time equivalent employee, but of course with significant flexibility in terms of when the work is carried out. Unlike some ‘flex’ offerings, Farnsworth says, the rockhopper lawyers are Lewis Silkin employees, not consultants or freelancers. “We provide them with all the IT equipment they need to set up their home office and they have access to all the wider firm’s IT systems and training resources.” In addition, there are annual rockhopper meetups, which combine training on an area of law or two with a social

event to keep everyone connected in person. And when the time comes for Lewis Silkin’s employment division ‘strategy weekend’ and Christmas party, rockhoppers are there too.

Adaptation of the typical office desk setup into a “home office kit” is also minimal, she confirms – most significantly, the introduction of a wireless headset. “So you can be elsewhere around the house when the phone rings. There’s no need to run back to the desk to answer it.” However, as the team has grown, one recent IT project has been some investment in the functionality of the work-management collaboration platform.

Name checked

Farnsworth was herself recognised in 2018’s Timewise Power 50 awards – a celebration of flexible working generally, and which includes recognising part-time senior role models who highlight to others what’s achievable with a more flexible schedule. However, while she’s officially on 4.5 days a week, ironically the reality of managing this initiative (on top of her own fee earning) is a full-time job, she says.

“At times I wish I was working in the same way as the rockhopper lawyers – but what makes my role so rewarding is to see how happy people are to be working in a way that better suits their life circumstances. It’s great that Lewis Silkin ultimately took a chance on something innovative and different, and the firm is already seeing the benefits of having been able to retain talented, senior lawyers and provide clients with a top-quality, excellent-value service.”

Finally, it has to be asked – why the name? “Our head of department at the time was enjoying a sabbatical in Antarctica, and grew quite fond of the rockhopper penguins – so he said, “What about that?” Initially it seemed a bit too quirky, but rolling it around we found it reflective of both the ethos and our pragmatic approach – that sense of helping clients to navigate some potentially rocky terrain, in a cheerful and unstuffy way.”

So, if it were at all still in doubt, some time well spent away from the office – not to mention that healthy work-life balance – can clearly be productive indeed. ▀