

LEATHWAITE

THE LAWYER

In-house Counsel as Business Partner event
in association with EY

"A General Counsel who is thriving in this environment is one that is adaptable"

The role of the General Counsel has been in the spotlight throughout the Covid-19 crisis and has emerged as a strategic business partner to the C-suite and Board. The Lawyer "In-house Counsel as Business Partner" conference in October highlighted the evolving requirements of the Legal function and discussed how the General Counsel role has shifted post pandemic.

We wanted to share some of the key themes of the conference and highlight the trends we see in today's General Counsel appointment. In a market where there is a war for talent, our clients look for a broader, more agile General Counsel who can lead through change, advise the business commercially and be a voice for ESG.





Resilience and Adaptability

Economists refer to the acronym, VUCA, to describe a situation that is volatile, uncertain, complex and ambiguous; we are currently operating in a VUCA market, which may last some time. The demands on legal teams are coming from a combination of regulatory instability, fragmented legislative environments and a move away from globalisation.

The environment within which legal teams operate has fundamentally changed over the past 18 months and there are more **complex external influences contributing to the General Counsel's workload**. The General Counsel must recognise this unique set of challenges and understand how best to lead their function through uncertainty.

Speed

The Covid-19 pandemic brought with it a need for speed, as organisations needed to take swift action in a fast-changing and unpredictable situation. As a result of this, legal teams are now asking themselves if, and how, they can **maintain that speed and continue to deliver at pace**. Quicker responses to business needs during the pandemic has set new expectations of the function and the General Counsel now needs to innovate and drive efficiency so that their legal teams can continue to meet these expectations without burn-out.





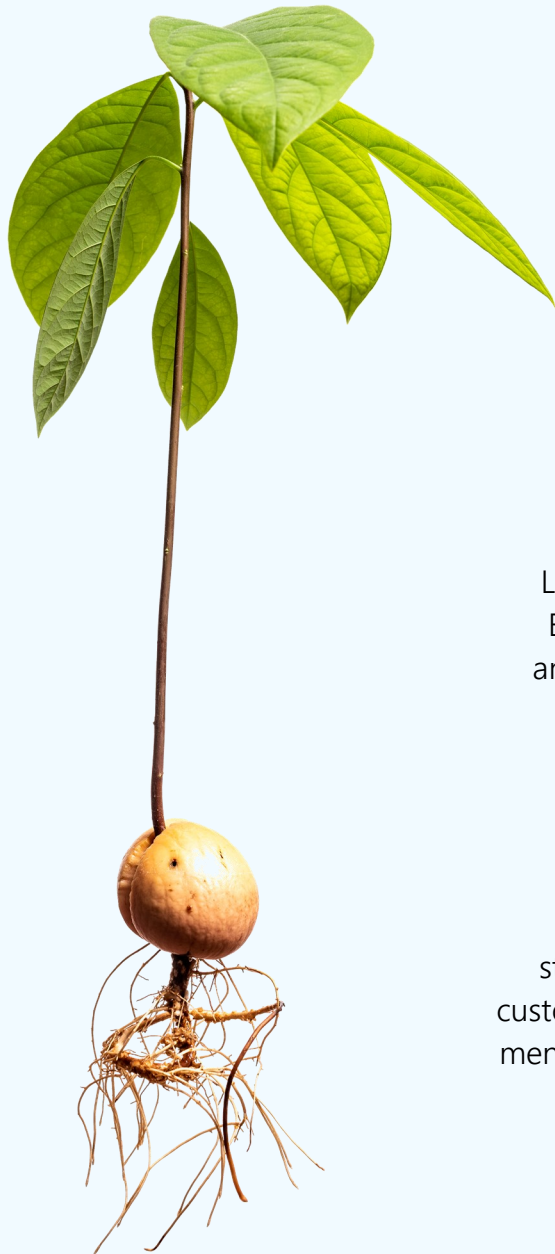
Technology

This uncertain market has elevated the voice of legal, bringing the General Counsel, almost overnight, into every business critical conversation in the form of strategic advisor and business partner. Embracing technology to recognise efficiencies, freeing up space for more value-add activities will be paramount to consolidating these gains. The remit of in-house legal teams has grown from delivering legal advice to solve specific issues, to **proactively assessing risk to inform strategic decision-making**, the success of which is underpinned by self-service, technology solutions and automation. Most organisations have established the technological necessities and are now discussing how to drive operational efficiencies through more advanced tools such as the “legal front door”. General Counsel need to have the confidence to be innovative and must take advantage of the tides of change that the pandemic has necessitated to fast-track transformations that may, in more stable times, have been met by resistance.

Meaningful Collaboration

Hybrid working requires the General Counsel to embrace collaboration, both with colleagues across the business and wider functions, but also with an external network of peers. Sharing thoughts, challenges and learnings will enable legal departments to better thrive in these challenging markets. How do you not lose the innovation time that just comes from being together and having connections? Considering how to encourage creativity, innovation, employee engagement and learning is essential as organisations move into a post-pandemic (and, for the most part hybrid) working environments. The successful General Counsel will be the one who not only maintains an active peer network, but who also **nurtures a culture of meaningful collaboration** within their function and across the organisation.





Embracing ESG

Legal does not have to own ESG, but given its crucial importance to both company Boards and investors, General Counsel must become fully conversant in the issues, and how they can **drive positive change** in this area. The General Counsel is most at home on the topic of "Governance", with clear responsibility for driving the appropriate governance as a pillar of firm-wide strategy. With COP26, net zero targets for institutions and the attendant media focus, "Environment" is already a central topic. However, the General Counsel must not neglect their role in the "Social". There is an opportunity (or even a responsibility) for all functions, legal included, to bring a focus on social issues to their functional strategies and to the strategy of their organisation. The "S" in ESG addresses a wide range of issues from customer experience and data security to diversity & inclusion, community impact and mental health. The Legal function has an important part to play in each and every one of these areas.

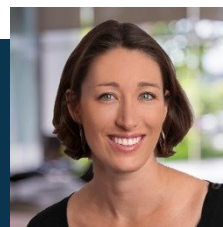
Conclusion

Our clients (the Board and C-suite) mandate us to find General Counsel candidates who are genuine business partners. In addition to strong technical competence, organisations need a General Counsel who not only merits a seat at the leadership table but whose counsel is an indispensable input to critical business decisions. These individuals need the agility and resilience to lead through uncertain times, the confidence to embrace technology and the vision to shape the role that the legal function can play in the critical issues of the present, and those of the future.

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Kate Huggins

Kate specialises in General Counsel and Company Secretary searches working closely with publicly quoted, private and private-equity backed clients across a wide range of sectors. Her client base includes a number of UK Plcs and global corporates. In addition, she acts for private practice law firms supporting these clients with partner-level executive search and senior functional mandates.

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