

The In-House and Public Sector Annual Conference 2021
Hybrid working, the new normal
and Ireland as a choice of law/ Ireland for law.

In-house and Public Sector Committee in collaboration with Law Society Finuas Skillnet

Date	14 October 2021
Time	09.30am to 01.30pm
Venue	Zoom webinar with live Q&A
CPD Hrs	2 General 1.5 Management & Professional Development Skills Total 3.5 Hours (by eLearning)

Chairman

Anna-Marie Curry, Company Secretary and General Counsel, IRES REIT plc.

Speakers

Rowena Hennigan, RoRemote, Consultant.

Emma Redmond, Privacy and Data Protection Counsel, Stripe.

Helena Kiely, Chief Prosecution Solicitor, DPP

Liam Kennedy SC, Former Chair Litigation Committee, CEDR Accredited Mediator, Partner A&L Goodbody

Gavin Woods, Partner, Arthur Cox

Tom Heerey, Senior Attorney, Microsoft

Maria Kennedy, Senior Legal Counsel, John Sisk & Son Ltd

Elaine Oonan, Senior Solicitor, Commercial Contracts Section, Chief State Solicitor's Office

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Chairperson

Anna-Marie Curry, Company Secretary and General Counsel, IRES REIT plc.

IRES is a growth oriented Real Estate Investment Trust that is focused on acquiring, holding, managing and developing investments, primarily focused on private residential rental accommodations in Ireland. Anna-Marie joined IRES REIT plc on 1 July 2021. As Company Secretary and General Counsel Anna-Marie is responsible to the Board of IRES REIT plc for ensuring compliance with all Board procedures. Anna-Marie also has responsibility for the development of a Legal function within IRES REIT plc. Prior to IRES REIT Anna-Marie was Company Secretary and General Counsel in Bord na Móna plc from 2017 to 2021 and Head of Legal from 2007 to 2017. Before moving In House, Anna-Marie trained and practiced as a corporate solicitor with Arthur Cox in Dublin. Anna-Marie holds a B.A. and LL.B. from the National University of Ireland, Galway, a Masters of Law (LL.M.) from the University of Edinburgh, a Certificate in Company Secretarial Law and Practice from the Law Society of Ireland and a Diploma in Company Direction from the Institute of Directors.

Speakers/panelists

Rowena Hennigan, RoRemote, Consultant.

Rowena is an educator, speaker and consultant, based in Zaragoza, Spain with her family. She is passionate about the socioeconomic, organisational and personal benefits afforded by remote work.

Emma Redmond, Privacy and Data Protection Counsel, Stripe.

Emma Redmond is Global Head of Privacy and Data Protection at Stripe and was formerly Head of EMEA Data Protection at LinkedIn.com and Ancestry.com. She is an active and regular speaker at data protection events across Europe and has published a number of academic articles in her field of expertise. She was chosen for the Leadership in Law programme at Harvard Law School in May 2017. She acts as Chair of the American Chamber of Commerce Data Protection Group, is a Member of the Inner Temple and the International Association of Privacy Professionals. Emma is Adjunct Associate Professor of Law at University College Dublin.

Helena Kiely, Chief Prosecution Solicitor, DPP

Helena Kiely is the Chief Prosecution Solicitor in the Office of the Director of Public Prosecutions. As the Solicitor for the Director, Helena is responsible for providing a solicitors service to the Director in relation to the prosecution of indictable crime and summary offences which are prosecuted by her. The Office of the Director of Public prosecutions currently employs in excess of 100 lawyers, both solicitors and barristers and procures external legal services from solicitors and barristers for roles as State Solicitors and Prosecution Counsel. Helena holds a BCL from University College Cork, an MA (Criminology) from Dublin Institute of Technology and a diploma on Data Protection from Kings Inn. Helena is the current Chair of the Criminal Law Committee of the Law Society of Ireland.



Liam Kennedy SC, Former Chair Litigation Committee, CEDR Accredited Mediator, Partner A&L Goodbody

Liam Kennedy, an A&L Goodbody Partner, specialises in commercial dispute resolution including: product liability; M&A; securities/auditors' litigation (including international class actions); EU and competition law; and constitutional litigation. Liam is also a member of the Council of the Law Society of Ireland and a Law Society nominee on the Ireland for Law initiative (which promotes Irish law and Irish lawyers internationally), on the Superior Courts Rules Committee and the Remote Courts Taskforce.

Gavin Woods, Partner, Arthur Cox

Gavin is a partner in the Litigation, Dispute Resolution and Investigations Group, Arthur Cox. Gavin is an experienced litigator advising clients before the Irish Courts. Gavin advises a broad range of clients including Irish and international corporates, financial institutions, property companies, aviation companies, large retailers, third level institutions, statutory bodies and local authorities. Gavin's practice has a particular focus advising clients on intellectual property disputes (trademark and copyright infringement and breach of confidential information) working with the firm's Technology and Innovation team and reputation management issues including data privacy, defamation, brand protection and internet related disputes.

Tom Heerey, Senior Attorney, Microsoft

Tom is Assistant General Counsel at Microsoft and based in Dublin. Tom has been part of Microsoft's Corporate, External and Legal Affairs team for 15 years in a number of roles, living and working in Ireland, India and USA (Seattle).

For the last 6 years Tom has led an EMEA team focussing on infrastructure and datacenter deals as Microsoft grows its global cloud in over 30 countries. Prior to this he supported technical sales and marketing teams and Government Affairs work in India. Before that he was the lead lawyer in Ireland covering all aspects of support for operations, sales, product development in Ireland. Microsoft's global team of legal, government affairs and public policy comprises over 1500 lawyers and business professionals. Tom is well used to discussions with Governments about the value of multi-national investment and the important choice of law and jurisdiction for multi-stakeholder international projects. Prior to work at Microsoft, Tom worked at in private practice, primarily as a litigator, for 10 years in Ireland and Australia. He was admitted as an Irish solicitor in 2002 and holds a current practising solicitor as in-house counsel.



Maria Kennedy, Senior Legal Counsel, John Sisk & Son Ltd

Maria Kennedy, Senior Legal Counsel, John Sisk & Son Ltd

Maria Kennedy is a Senior Legal Counsel with John Sisk & Son, having joined earlier this year. She provides legal advice and support across the Sisk business in Ireland, Europe and the UK. Prior to joining Sisk, Maria was a Partner in the Commercial Litigation and Dispute Resolution Department in Matheson. Maria has extensive experience advising on dispute resolution clauses and on the various options available, including arbitration. She has been involved in Arbitration Ireland for a number of years and is a founding member, and former chair, of the Young Practitioner's committee of Arbitration Ireland.

Elaine Oonan, Senior Solicitor, Commercial Contracts Section, Chief State Solicitor's Office

Elaine is a senior solicitor in the Commercial Contracts Section of the Chief State Solicitor's Office (CSSO). The CSSO provides litigation, advisory and conveyancing services to Government Departments and Offices and to certain other State agencies. The CSSO also provides solicitor services at Tribunals and Commissions of Inquiry and represents Ireland at the Court of Justice of the European Union. Elaine specialises in advising clients on all aspects of public procurement law and the drafting and negotiation of commercial contracts



The Law Society In-house and Public Sector Committee in partnership with Law Society Finuas Skillnet present:

Annual In-house and Public Sector Conference 2021

Date: Thursday, 14 October 2021 Time: 9.30am – 1.30pm

Venue: ONLINE ZOOM WEBINAR

Today's Programme

<i>Time</i>	<i>Topic</i>	<i>Speakers</i>
9.30am – 9.35am (5 mins)	Opening welcome and introductions	Anna Marie Curry, Company Secretary and General Counsel Irish Residential Properties REIT plc and Chairperson of the In-house and Public Sector Committee
9.35am to 10.30am (55 mins)	Key note speaker: Working from home/hybrid and Wellbeing	Rowena Hennigan, Consultant, RoRemote
10.30 to 11.10am (20 min x 2/40 mins)	Working from Home/Hybrid – practical tips	Emma Redmond, Privacy and Data Protection Counsel, Stripe. Helena Kiely, Chief Prosecution Solicitor, DPP
11.10am to 11.50am (40 mins)	Panel Discussion on WFH/hybrid – solicitors from private and public sectors to share their personal experiences, views etc. Speaker will also join the Panel.	Anna Marie Curry Rowena Hennigan Emma Redmond Helena Kiely
11.50 to 12.05pm (15 mins)	TEA/COFFEE BREAK	
12.05 – 12.45am (40 mins)	Presentation Arbitration/Jurisdiction Clauses/Ireland for Law	Liam Kennedy, A&L Goodbody/Gavin Woods, Arthur Cox.
12.45pm – 1.25pm	Panel Discussion on Arbitration/Jurisdiction	Liam Kennedy, A&L



(40 mins)	<p>Clauses/Ireland for Law In-house solicitors from private and public sectors to share their personal experiences and tips etc. Presenters/speakers will also join the Panel</p>	<p>Goodbody/Gavin Woods, Arthur Cox.</p> <p>Plus Maria Kennedy Sisk Tom Heerey, Assistant General Counsel, Microsoft</p> <p>Elaine Oonan, Senior Solicitor, Commercial Contracts, CSSO</p>
1.25pm	Closing comments	<p>Anna Marie Curry, Company Secretary and General Counsel Irish Residential Properties REIT plc and Chairperson of the In-house and Public Sector Committee</p>
1.30pm	CONFERENCE CLOSE	

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Younger Members Committee	

NB Note re CPD Scheme:

It is each solicitor's own responsibility to maintain a CPD record and to retain proof of the CPD he/she completes. The Scheme is regulated by the Law Society of Ireland and each year a random audit is conducted where a solicitor may be asked to produce a record and/or proof of the CPD they completed. For further queries on the Scheme please visit the members' area of the website www.lawsociety.ie.

In relation to Law Society Professional Training, Law Society Finuas Skillnet events – the Professional Training Unit will provide proof of attendance directly to the CPD Scheme Unit.

No Certificates of Attendance will be issued by the Law Society Professional Training for any of its events. Effective January 2011



Working from home/hybrid and Wellbeing

Rowena Hennigan

Wellbeing when working remotely

Rowena Hennigan, Remote Work Expert & Lecturer

14 October 2021



Welcome & How are you?

www.roremote.com

Lecturer & Academic, Remote Work Expert with laya Healthcare. Spectrum.Life, Umbrella Wellness. Published academic course author. International Remote Work Expert.

Named in the top 25 Remote Work Innovators 2021, Remote.com

**Glossary of terms, inc.
Teleworking, Distributed
Teams, Hybrid, Blended, Work
From Anywhere (WFA), Remote
Work etc.**

[AUTOMATTIC](#) [FUTURE OF WORK](#)

Coronavirus and the Remote Work Experiment No One Asked For

 By Matt  March 5, 2020  25 Comments

The Challenges





Working from Home only....
is not true Remote Working



The Pandemic Impact

Working from home only or living at work...

**On average people are working 28
more hours per week when working
remotely** (source: Robert Walters)

Research from laya Healthcare, Whittaker Institute in Galway and the Irish Psychological society during the pandemic all covered the negatives BUT workers still requested flexibility and a choice of remote working going forward

Multiple devices: means,
feels like “living at work”

Practical Gaps

- Commute
- Work versus home space – designation on all levels!
- Access to facilities that involve walking/movement
- Other opportunities for movement/meetings
- Lack of social interaction opportunities
- Home/remote environment – is it ideal? Distractions?
- What if this changes....building works, noisy neighbours, care responsibilities etc.
- Personal preference!?



Cumulative impact

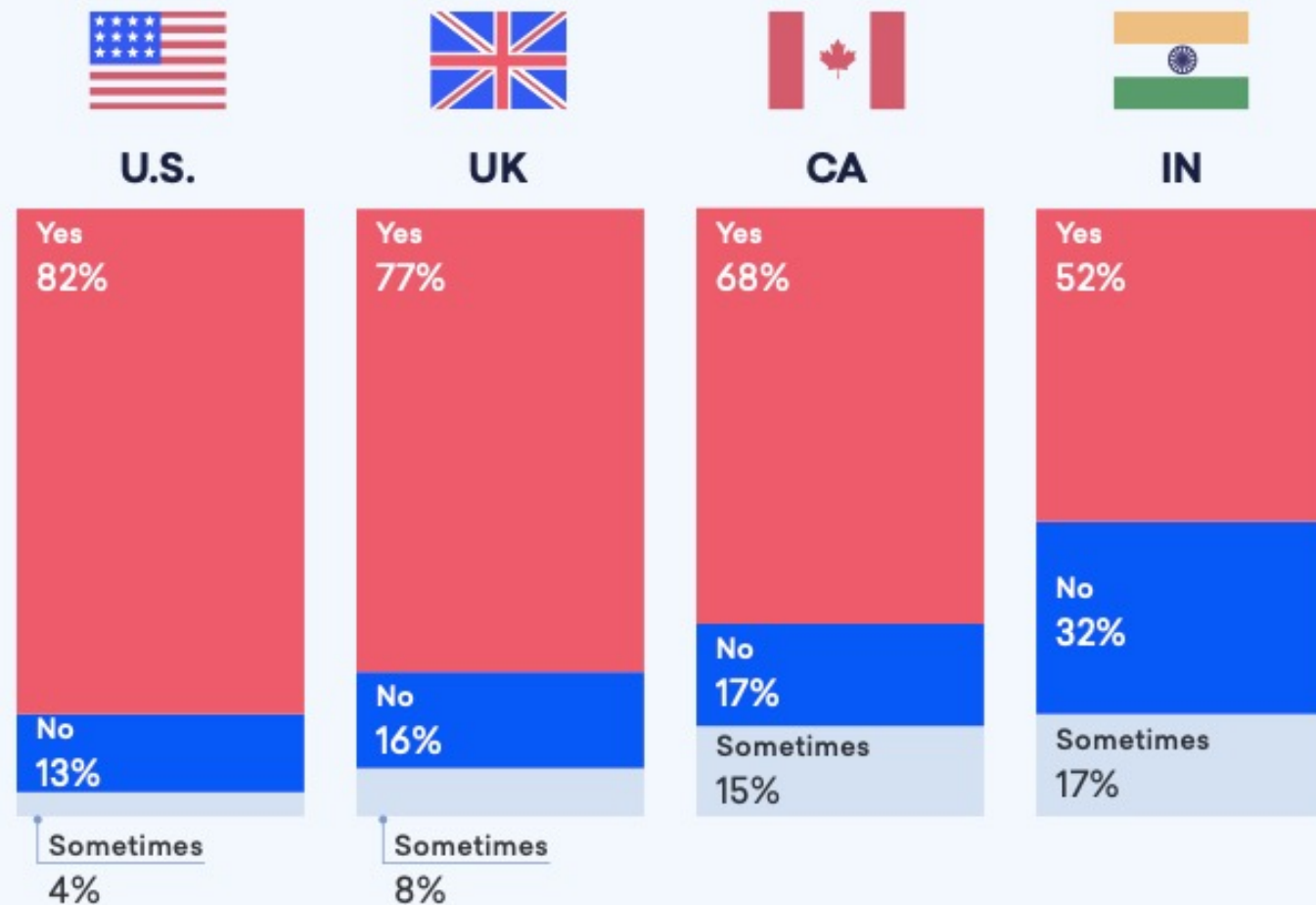
Ongoing challenges of Covid and uncertainty... can lead to exhaustion and burnout

77% of UK workers saying they have experienced it (source: Digital Ocean)

Reported Burnout by Region: A Geographical Breakdown

But there seems to be a disconnect between the perception of remote work and the reality of it. Despite the optimism, remote workers reported slightly higher levels of burnout than in-office workers — 66% vs. 64%, respectively.

Over half of remote workers report scheduling structured breaks throughout the day, but this showed no real change in reported burnout when compared with those who didn't schedule breaks. Burnout skyrockets in the U.S. as well, with 82% of respondents saying they have experienced it.



The percentages may not add up to 100%, as they are rounded to the nearest percent.

Various Remote Work Models, in practice

Remote, Blended & Hybrid Work Models



Work from anywhere – 100% Remote

NO requirement to go into the physical office. Terms include: 100% remote, fully remote or distributed. Note: Meet-up's & retreats



90% Remote, Blended & Hybrid Working

Staff are working remotely majority of the time, with occasional trips (e.g., monthly?) to the physical site, home/remote office is their base. Note: Coworking & shared office space utilisation?



30-80% Remote, Blended & Hybrid Working

Staff are remote working regularly and using their home office (or other location) regularly. *The % mix of this models varies, note whether days in office are fixed or flexible?*



< 20% Remote, Blended & Hybrid Working

Some staff can remote work on occasion. e.g., perhaps there is a field sales team, however their office base is the physical HQ or office



All staff based in the physical HQ or site/s or "co-located"

No-one works remotely - however BCP may now see it as vital in any continuity plans after the pandemic.



Lessons from the established Remote Work Sector

- Risks can include; Overworking (leading to burnout), isolation, decrease in work-life-balance, motivation & social interaction
- Counteract with:
 - Openly discuss risks, see Gitlab handbook
 - Offer “other locations” to work inc. coworking
 - Support meet-ups of various types
 - Don't celebrate long hours, encourage disconnection
 - Make meaningful virtual connections
 - Support the core flexibility that remote work offers – through asynch practices
 - Leaders, lead by example encouraging wellbeing actions
 - Operate buddy system
 - Provide EAP and other related supports



Since early 2000's many organisations had begun to appreciate the benefit of a remote first model of operations

Gitlab Handbook – a central repository (fully publicly accessible) on how “we run the company”

BUT – the majority were remote by default to start, so it was a planned strategic implementation

Wellbeing in the Legal Profession



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MUSTAFA REŞİT
KARAHANAN
TAZMİNAT
DAVALARI
1976

İ. T. ÖZARSLAN
& YAKARSLAN
B. A. TUNA
ACIKLAMALI İÇTİHAT
SOSYAL
SİGORTA
MEVZUATI

İ. T. ÖZARSLAN
& YAKARSLAN
B. A. TUNA
ACIKLAMALI İÇTİHAT
SOSYAL
SİGORTA
MEVZUATI

Nature of the Legal sector and profession

- Pre-covid – cybersecurity, data privacy issues, it was a VERY presenteeism orientated job
- During Pandemic:
 - Business Continuity found a way
 - IT systems were updated
 - Risks were mitigated
 - New ways of communicating, operating and working were discovered
- BUT – at what cost?

Personal Wellbeing starts with YOU

Hold and Send *Exercise*

On a scale of 1-10, how do you think your self-care and general wellbeing practices are?

Rate them!

Write it down!



Success Factors in Wellbeing



Self-awareness (writing?), Self-care and Planning

How is my self-care? Really?



Self-talk and Support

Do you need accountability?



Sharing it with the team

Would you share what works for you with your team?



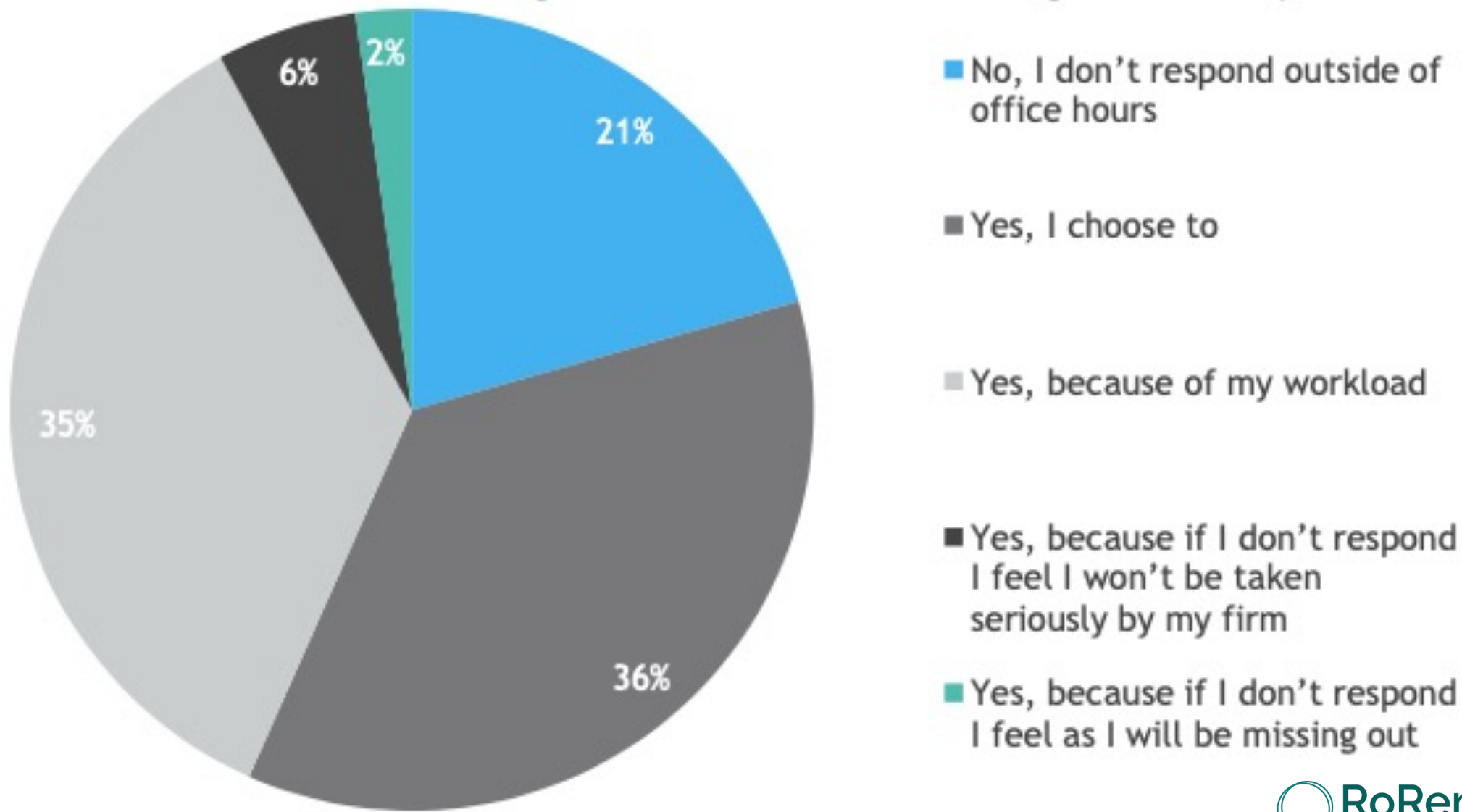
What does that look like?

- **SLEEP** - Be aware of the impact of multiple devices and the impact on the hours before sleep
- Taking stock on your resilience in recent times, make a written or mental list of the positives e.g. walking meetings
- Reflecting on **the importance of personal wellbeing**, try writing down what does it mean to you?
- You **deserve** self-care and it supports productivity
- On a Friday booking breaks, self-care (exercise classes, coffee breaks with a pal etc.) **BEFORE** work commitments
- **Disconnection** – have you set your boundaries? And practically do you know how to use notifications etc.
- **Support** – how can you reach out & what about accountability?

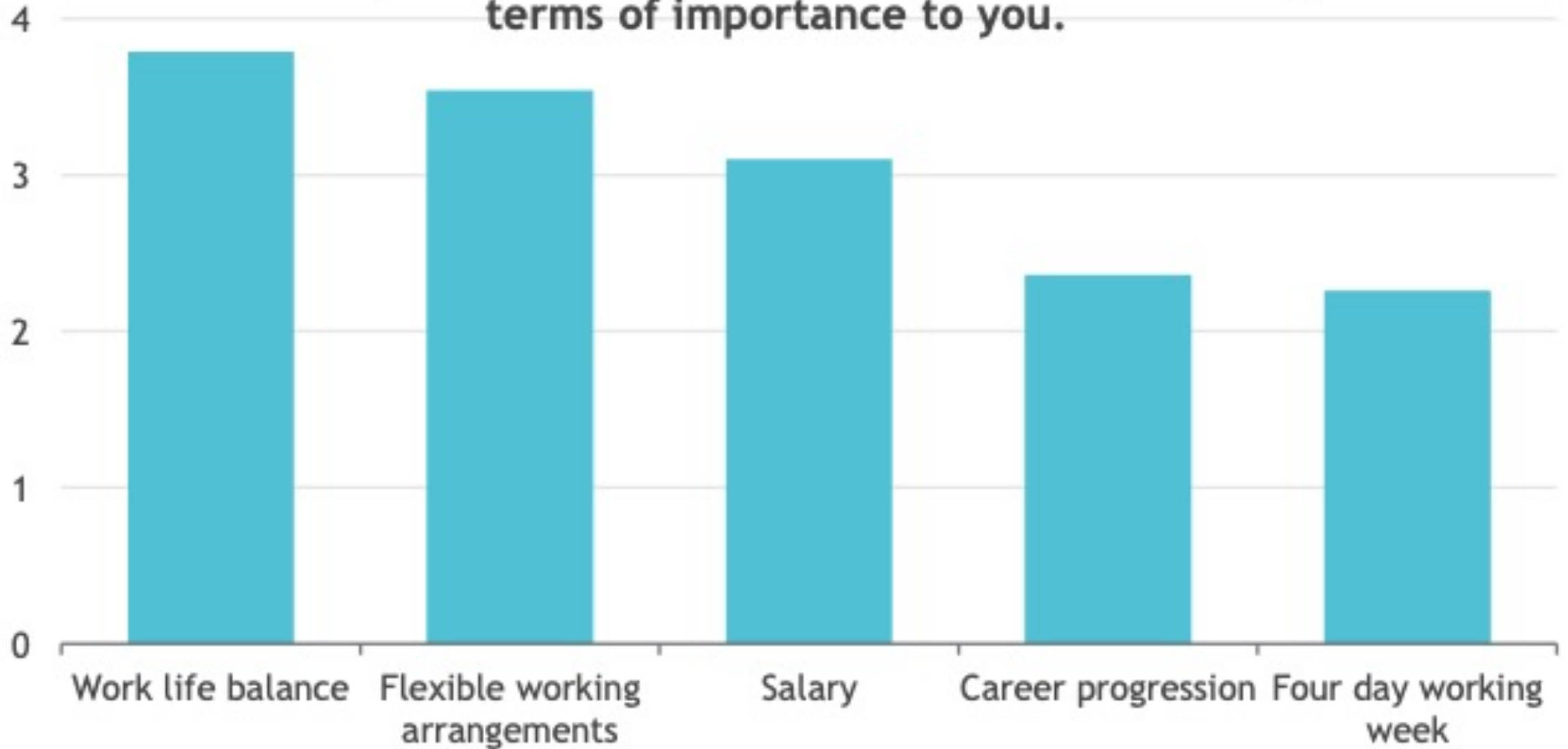


Wellbeing continues with organisational supports

Do you respond to emails and communications outside of working hours when working remotely?



In thinking about work in the future, rank the following in terms of importance to you.

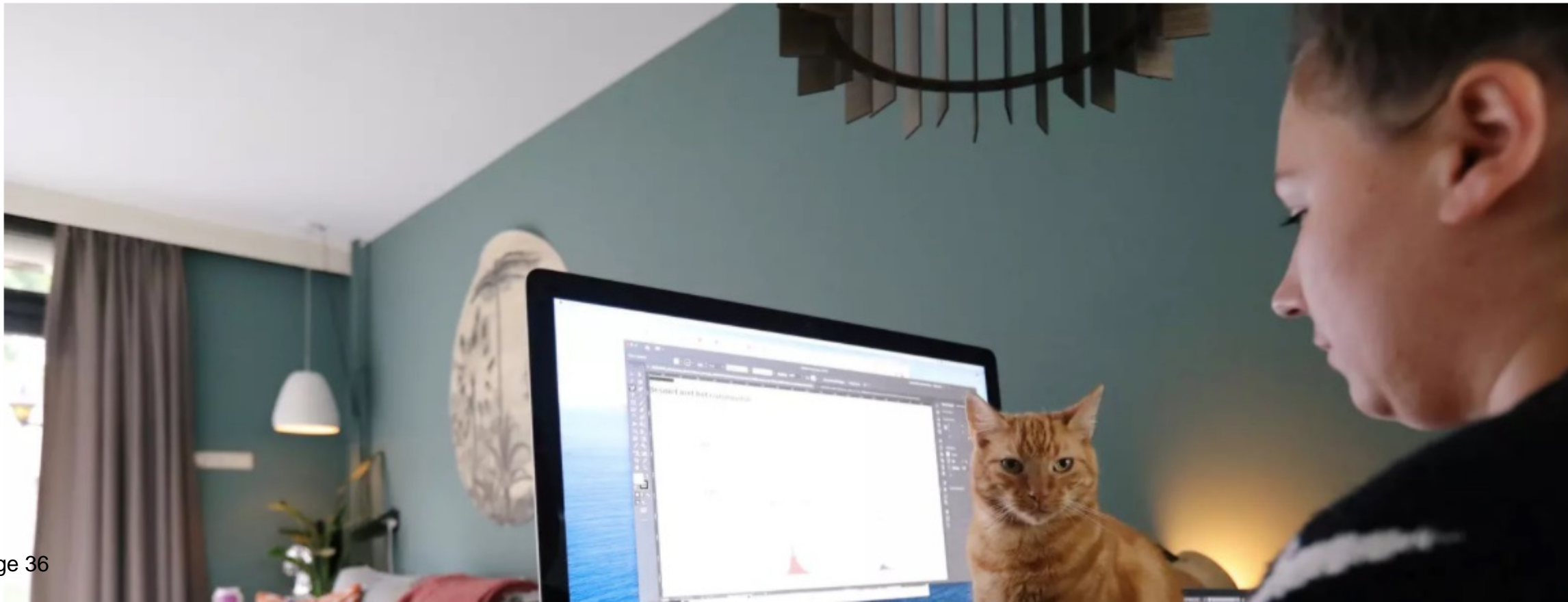




Wellbeing should be a
priority going forward



The priority for workplaces in the new normal? Wellbeing





With great flexibility comes
great responsibility!



Q n A

Connect with me on LinkedIn

www.roremote.com





Working from Home/Hybrid – practical tips

Helena Kiely



The In-House and Public Sector
Annual Conference 2021

Helena Kiely
Chief Prosecution Solicitor
16th October 2021



Background

Where have we come from?

- 115 Solicitors and Barristers
 - Fulltime Office Presence
 - Court Attendance
 - Key Office Roles
 - Essential Service
-



Hybrid

Where are we headed

Remote working strategy –March 2022

- 20% remote working
 - Right to disconnect
 - Adjustments for frontline services
-



Communication

Housekeeping

- Collective Diaries
 - Out of Office
 - Voicemails on all Devices
 - Email Clarity and Concision
 - Data Protection Policies
 - Data Retention Practices
-



Communication

Leading Teams and Organisations

- Agreed priorities – Short and Longer term
- Clarity on Measuring Performance
- Remote meetings guidelines
- Consider smaller teams
- Regular Updates





Collaboration

Remote Meetings

- Back to Basics
 - Consider Composition of Group
 - Understand the drivers of change
 - Repetition of key terms and objectives
 - Clear Agenda
 - Beware of assumptions
-



Wellbeing

Support of Colleagues

- Support of colleagues
 - Beware of Isolation
 - Recognition and Appreciation
 - Pick up the Phone
 - Social Connection to the Office
-



Career Development

- Induction and onboarding
 - Career development
 - Protected time for L & D
-





Arbitration/Jurisdiction Clauses/Ireland for Law

Liam Kennedy



The In-House and Public Sector Annual Conference 2021

Liam Kennedy SC
A&L Goodbody LLP



Liam Kennedy SC, A&L Goodbody LLP

IRELAND FOR LAW

- Promotes Irish Law & Legal Services to the international business community
- Brings together Government, Bar Council, Law Society, leading law firms, and the IDA to promote Irish law and Irish lawyers for transactions, contracts and disputes.
- Focus on sectors where Ireland leads internationally, complementing Ireland's FDI initiatives including:
 - Aviation finance
 - Funds
 - Insurance
 - Tech
 - Pharma and Life Sciences.
- See www.irelandforlaw.com



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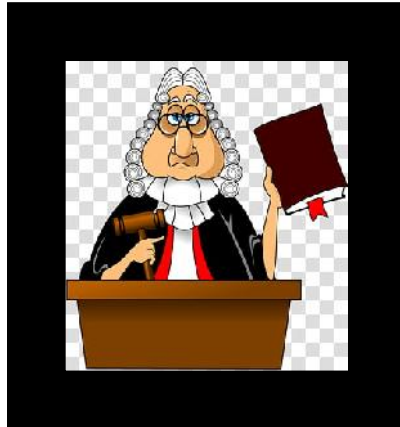
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Taskforce Membership

- Department of An Taoiseach - Assistant Secretary General
- Department of Justice & Equality - Deputy Secretary General
- The Attorney General
- IDA Ireland - Senior Vice President
- Department of Public Expenditure & Reform - Assistant Secretary General
- Department of Finance - Head of International Financial Services, Risk and Management
- Department of Foreign Affairs & Trade - Legal Adviser, Deputy Director General
- Department of Business, Enterprise & Innovation - Head & Deputy Head of Inward Investment and North-South Unit
- Law Society of Ireland
- Bar Council of Ireland

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Rule of Law



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Brexit



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Brexit – Potential for Irish Law

- Combining EU membership with Common law
 - traditions
 - procedure
 - jurisprudence
- Ease of Enforcement throughout the EU
- Need for laws of EU member states in certain contexts
- Ensures alignment with pervasive EU law requirements
- Access to EU Courts

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Ireland, the Common Law and the EU



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ADVANTAGES OF IRISH LAW, THE IRISH LEGAL SYSTEM AND THE IRISH COURTS



Riailtas na hÉireann
Government of Ireland

The Irish Legal System	The Judiciary	The Legal Practitioners
<p>Sole English language, common law, EU jurisdiction</p> <p>EU member with pro-business climate</p> <p>Specialist commercial court with specialist subdivisions for Competition, Arbitration, IP and Strategic Infrastructure.</p> <p>Decisions easily enforced EU wide</p>	<p>Experienced, independent and impartial Judiciary with commercial expertise</p> <p>Expeditious hearings, including case management & strict timetables in commercial litigation</p> <p>Facilitation of commercially sensitive hearings</p> <p>Successful operation of virtual and tech-friendly proceedings</p>	<p>An experienced and highly specialised legal profession, consisting of 12,000 solicitors and 2,200 barristers</p> <p>Legal practitioners in Ireland are regulated by an independent regulator</p> <p>Expertise in Life Sciences and IP</p>



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Ireland for Law Initiative

- External focus
- Internal focus
- Opportunities
- Growing Acceptance of Irish Law in international transactions
- Explore opportunities to do more to meet needs of international business
- Identify scope to improve Irish legal and judicial system to facilitate commerce

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Questions?



Liam Kennedy SC, A&L Goodbody LLP

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Arbitration/Jurisdiction Clauses/Ireland for Law

Gavin Woods



The In-House and Public Sector
Annual Conference 2021

Ireland as a choice of law:
Arbitration and dispute resolution
clauses

Gavin Woods
Partner, Litigation, Dispute Resolution
and Investigations, 14 October 2021

Key factors in dispute

Publicity and reputational issues

The expertise of the decision maker

Overall cost

Neutrality

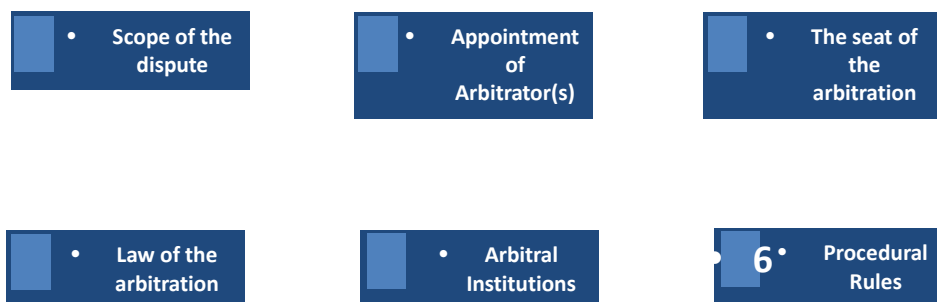
Timeframe to a conclusion

Why arbitration



3

Choosing Arbitration – the Arbitration Clause



4

Arbitration – Why choose Dublin?



5

Law
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≡ AT A GLANCE

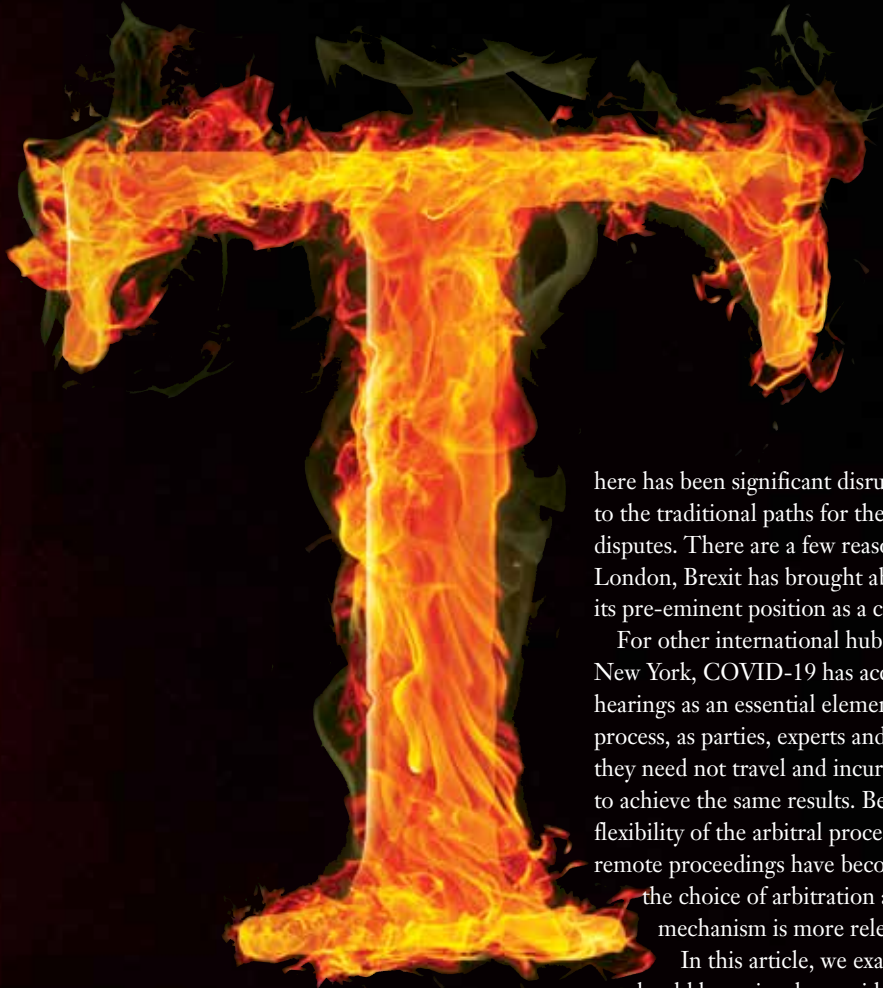
- Arbitration should be seriously considered as the primary dispute resolution process by any in-house counsel and/or solicitor for contracts with an international dimension
- Because of the inherent flexibility of the arbitral process and the speed at which remote proceedings have become the global norm, the choice of arbitration as an alternative dispute mechanism is more relevant today than ever
- And there are benefits to choosing Irish law as the substantive law, and Dublin as the seat for that arbitration

THE HOT SEAT



Practitioners can leverage the key elements of arbitration for the benefit of their organisation or client – thus ensuring an effective, efficient process and result. **Gavin Woods and Seán McCarthy** take sides

GAVIN WOODS IS A PARTNER IN THE LITIGATION, DISPUTE RESOLUTION AND INVESTIGATIONS GROUP AT ARTHUR COX. SEÁN MCCARTHY IS A BARRISTER INVOLVED IN INTERNATIONAL ARBITRATION AND IS A MEMBER OF THE COMMITTEE OF YOUNG PRACTITIONERS ARBITRATION IRELAND



here has been significant disruption over the last few years to the traditional paths for the resolution of international disputes. There are a few reasons for this. In the case of London, Brexit has brought about potential challenges to its pre-eminent position as a centre for such disputes.

For other international hubs, like Paris, Geneva and New York, COVID-19 has accelerated the role of remote hearings as an essential element of any dispute-resolution process, as parties, experts and counsel have found that they need not travel and incur time and cost in order to achieve the same results. Because of the inherent flexibility of the arbitral process and the speed at which remote proceedings have become the global norm, the choice of arbitration as an alternative dispute mechanism is more relevant today than ever.

In this article, we examine why arbitration should be seriously considered as the primary dispute resolution process by any in-house counsel and/or solicitor for contracts with an international dimension, the benefits of choosing Irish law as the substantive law and Dublin as the seat for that arbitration, and the practical implications of doing so.

Armed with the appropriate knowledge and expertise, practitioners can leverage the key elements of arbitration for the benefit of their organisation or client, ensuring an effective and efficient process and result.

Why arbitration?

Arbitration offers a confidential and globally recognised process for resolving disputes efficiently through its flexibility of procedure, the integrated choice of trusted and independent decision-maker(s) with subject-matter expertise, and the strongest cross-border enforcement regime available.

These considerations are particularly important for organisations doing business in jurisdictions with which they are not overly familiar, safe in the knowledge that the practice of international arbitration is uniform around the world.

Arbitration is obviously not a new concept and, particularly outside of Ireland, has for many years been the preferred choice for a majority of parties involved in cross-border or multinational ventures, most notably in areas such as energy, construction, shipping and commodities.

In recent years, there has been a significant increase in the volume of arbitrations being referred to the leading international arbitral institutions. For example, according to the London Court of International Arbitration's (LCIA) annual casework report for 2020, there was an increase of 18% in the number of referrals to arbitration as against 2019, resulting in the highest number of cases ever referred. There is also an increasing

trend towards a broader range of disputes being resolved through arbitration in the technology, finance, corporate and even environmental sectors.

Arbitration's advantages

For those in-house counsel deeply involved in the day-to-day practice of international arbitration on behalf of their organisations, the advantages of the arbitral process over litigation are clear.

Karl Hennessee (Airbus senior vice-president for litigation, investigations and regulatory affairs) says: "Our clear preference for arbitration over litigation (with only a few exceptions) is driven by the flexibility, speed, cost-savings and certainty that arbitration, when conducted in the spirit of efficient dispute resolution, offers. Litigation tends to take longer, cost more, and invite more unproductive procedural manoeuvring that can further damage the relationship between parties who are, at heart, trying to resolve disputes to move

forward with a commercial relationship."

Maria Irene Perruccio (in-house counsel for international disputes at Webuild Group SpA – formerly Salini Impregilo) comments: "We prefer international arbitration because it provides a neutral adjudicatory body. Our counterparty is often a state entity, and state courts in certain geographical areas might be overly protective towards their state's public entities. In addition, we appreciate the enforceability of the award, the flexibility of the proceedings, and the fact that international arbitration is, in general, faster than litigation."

Arbitration agreements

The most common method for parties to submit to arbitration is by including an arbitration agreement in their contract(s). A well-drafted arbitration agreement will usually identify the scope of subject matter that the parties agree to submit to arbitration, the number and method of appointment of the arbitrator(s), the legal seat of the arbitration, the substantive law of the arbitration, and any procedural rules that shall apply to the arbitration.

Most commonly, parties will agree to submit to the rules of an arbitral institution in order to resolve any potential future inconsistencies or lacunae that may arise in the arbitration agreement itself, and to ensure that any dispute will be administered efficiently on a time-and-cost basis.

There are a number of arbitral institutions around the globe that administer arbitrations for any parties who have agreed to resolve a dispute under the auspices of their corresponding rules. The rules that these institutions have created range from being broadly applicable to most types of commercial or private disputes, to those that are solely conceived for parties in sectors such as commodity trading, shipping and sport.

Most significantly for parties and practitioners, these rules govern the entire process, from the choice of seat and number of arbitrators, the appointment of the arbitrator(s), through to the form of exchange of pleadings and expert evidence, and the hearing and making of awards.

Recent innovations

The leading arbitral institutions regularly review and update their rules to ensure that they keep pace with the evolution of dispute resolution globally. Recent innovations include



Arbitration: the next generation

IRELAND HAS AN
INTERNATIONAL 'BEST-
IN-CLASS' STATUTORY
FRAMEWORK TO FULLY
SUPPORT ARBITRATIONS
SEATED IN THIS
JURISDICTION

ARMED WITH THE APPROPRIATE KNOWLEDGE AND EXPERTISE, PRACTITIONERS CAN LEVERAGE THE KEY ELEMENTS OF ARBITRATION FOR THE BENEFIT OF THEIR ORGANISATION OR CLIENT, ENSURING AN EFFECTIVE AND EFFICIENT PROCESS AND RESULT

the introduction of expedited procedures, emergency arbitrator proceedings and, of course, remote hearings.

The arbitral institutions provide administrative and procedural support through the life cycle of each dispute and, as importantly, provide expertise in ensuring that disputes are resolved effectively and efficiently. Fees and costs for the services provided depend on the institutions and services required. The leading international arbitral institutions are the International Chamber of Commerce (ICC), the LCIA, and the International Centre for Dispute Resolution, the international division of the American Arbitration Association (AAA-ICDR).

From an in-house counsel perspective, the most important characteristics to look for when choosing an international arbitration institution are outlined by Karl Hennessee: “Speedy, credible and decisive address of not just the mundane, but the somewhat exotic issues that arise in arbitration. This is driven by human expertise, clear rules that evolve with time, and confidence to set a framework that allows proceedings to advance with certainty, without stepping on the toes of an arbitral tribunal. Obviously, being based in a jurisdiction with strong law and a culture of arbitration helps.”

Maria Irene Perruccio adds: “We pay attention to the ability of the institution to keep the costs of the proceedings under control. We also appreciate institutions that can assist the parties in the constitution of the arbitral tribunal and provide a wide range of international and neutral nominees for the arbitrator’s role.”

Legislative structures

Ireland has an international ‘best-in-class’ statutory framework to fully support arbitrations seated in this jurisdiction.

- *UNCITRAL Model Law*: Ireland benefits from the most widely used and global standard in arbitration legislation, the *UNCITRAL Model Law on International Commercial Arbitration* (as implemented through the *Arbitration Act 2010*). More than 85 states have adopted legislation based on the model law to date and, as such, it allows practitioners from around the world to work seamlessly in relation to international arbitrations seated in Ireland.
- *New York Convention*: The *New York Convention of the Recognition and Enforcement of Foreign Arbitral Awards* has been a cornerstone of international arbitration for more than 60 years, as it ensures that an arbitral award is equally enforceable in any of the 168 contracting states. The convention makes the process of enforcing an arbitral award in another jurisdiction more effective than seeking to enforce a corresponding court judgment, particularly outside of EU and EFTA jurisdictions.
- *Arbitration Act 2010*: The act provides for robust and specialised support for ongoing arbitrations seated in the State and for streamlined applications for the setting aside, recognition, or enforcement of foreign arbitral awards through its nomination of the High Court as the relevant court, and by having a designated arbitration judge (Mr Justice Barniville prior to his appointment to the Court of Appeal). This ensures both consistency and sector-specific knowledge in all international arbitration-related matters heard in the State on the part of the judiciary.

Mr Justice Barniville and his predecessors have delivered a series of judgments over the past decades that have consistently shown judicial support for international arbitrations conducted in this jurisdiction. This is manifested through an unwillingness to interfere in arbitral processes outside of very limited and well-defined exceptions, and includes a readiness to support impending and ongoing arbitrations.

Further, the courts have been willing to take active measures, such as the granting of mandatory stays on litigation proceedings in light of *prima facie* evidence of the existence of an arbitration agreement between parties.

Above all, the pro-arbitration attitude of the judiciary has been seen through its adherence to the narrow interpretation of the grounds of challenge to the recognition/enforcement of foreign arbitral awards, shared with traditionally arbitration-friendly jurisdictions like England and Wales, France and Switzerland. [E](#)

The second part of this article (next issue) will further explore why Dublin is the perfect legal seat for arbitration.

LOOK IT UP

- *Arbitration Act 2010*
- *New York Convention of the Recognition and Enforcement of Foreign Arbitral Awards*
- *UNCITRAL Model Law on International Commercial Arbitration*



The Future Way We Work Report

Younger Members Committee



The Future Way We Work



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Foreword

September 2021

Dear Colleagues,

It is with great pleasure and privilege we present the findings of ‘The Future Way We Work’ Survey (the “Survey”), on behalf of the Younger Members Committee of the Law Society of Ireland (the “Committee”).

The Covid-19 pandemic has required us all to rethink how we work and has fast-tracked the rollout of technological solutions across the legal profession.

As a result, the way in which members work, or indeed wish to work, has changed. A key focus of the Survey has been to allow members to express their views on the future shape of our profession, provide members with an opportunity to highlight the challenges and benefits associated with remote/hybrid working arrangements and to identify what additional supports are required into the future.

We were also conscious of the need to hear from employers and the Survey was open to all members (regardless of role or level of qualification). We were delighted to see that 25.04% of respondents were either Partners of law firms or Sole Practitioners. The Survey posed additional voluntary questions directed at respondents who are in management roles, 95% of whom answered those questions.

We wish to take this opportunity to express our gratitude to everyone who assisted with organising the Survey, including our Committee members, our Committee Secretary (Michelle Nolan), the team at Smith & Williamson, various Law Society of Ireland committees and colleagues who helped us in designing the Survey and in particular Mary Keane, Acting Director General of the Law Society of Ireland.

However, we most of all wish to thank the 1,202 colleagues who responded to the Survey. Your voice matters and is being heard. Thank you for contributing to shaping the future of our profession. The Survey represents an important data gathering exercise and we hope the findings become a useful tool to inform the future working arrangements of the legal profession in Ireland.

Kind regards,

Avril Flannery

Chair

Callan Tansey



Brendan Hayes

Vice Chair

Fexco Group



Committee Members (2021):

Michelle Nolan (Committee Secretary) Tarisai May Chidawanyika, Maeve Delargy, Jennifer Dorgan, Avril Flannery, Amy Grant, Brendan Hayes, Anna Nichols, Fiona McNulty, Cian Moriarty, Michael (Mike) Quinlan, Jennifer O’ Sullivan, Hannah Shaw, Aisling Woods.

Smith & Williamson

The Smith & Williamson advisory team led by Paul Wyse, Managing Partner carried out the independent research on behalf of The Law Society of Ireland's Younger Members Committee. The Smith & Williamson project team included Marc Lowry, Project Lead and Siddharth Patel. The project included questionnaire development and advice in addition to survey execution, data analysis and report insight development and review. The project success was made possible through close collaboration with the YMC's Avril Flannery (Chair), Brendan Hayes (Vice Chair), Michelle Nolan (Committee Secretary) and subcommittee members which included Michael Quinlan, Maeve Delargy, Jennifer O'Sullivan, Amy Grant, and the Law Society team.

Paul Wyse
Managing Partner



Marc Lowry
Project lead



Siddharth Patel
Assistant Manager



1 Executive Summary

1.1 Background

The Committee was re-established in 2015 to identify, explore and promote issues affecting members of our profession across the country who are qualified for less than seven years (“Younger Members”). The Committee aims to help Younger Members reach their full potential.

The Committee’s objectives are to:

- Engage with and listen to Younger Members from across the country;
- Identify the issues affecting Younger Members of the profession;
- Protect and promote the interests of Younger Members;
- Enhance and promote professional skills/standards amongst Younger Members; and
- Establish networks and foster collegiality among Younger Members.

The Committee works towards these objectives by:

- Hosting conferences and seminars tailored to the needs of Younger Members;
- Facilitating networking opportunities;
- Providing representation for Younger Members, such as participation in task forces and working groups;
- Liaising with other Law Society of Ireland committees and other colleagues in designing events and projects designed to benefit Younger Members; and
- Developing an international network of like-minded organisations to provide Younger Members with opportunities to learn from colleagues globally.

In late 2020, the Committee identified that there would be significant benefit in canvassing the views of Members (and employers) on their experiences of hybrid working arrangements during the Covid-19 pandemic and on their future work preferences. It was recognised that the results would be skewed if the Survey was solely addressed to Younger Members (up to 7 years’ qualification) and therefore the Survey was addressed to all practising certificate holders on the Roll of Solicitors of Ireland in 2021.

1.2 Survey methodology

The Committee established a working group to liaise with other Law Society of Ireland colleagues and Committees in designing the Survey. This included consultation with:

- Law Society of Ireland Environmental and Sustainability in Practice Task Force;
- Law Society of Ireland Career Support Services;
- Law Society of Ireland Technology Committee; and
- Law Society of Ireland Employment & Equality Law Committee.

Following a tendering process, the Committee appointed Smith & Williamson as partner to

collaborate on the Survey. The Survey was circulated on 19 July 2021 to all individuals on the Roll of Solicitors in Ireland holding a practising certificate for 2021 (regardless of level of qualification) (“Member”).

A one-week completion period was allowed for participants to respond to the survey. A reminder link was sent before the closing date to encourage any final responses. A short extension was allowed following the Law Society of Ireland’s President’s Bulletin on 30 July 2021 after which it was agreed to proceed with the analysis of the responses received. The Survey closed on 3 August 2021.

Each Member was provided with a unique link providing access to the Survey, ensuring that no one individual could respond to the Survey more than once. However, anonymity of responses was assured with enhanced compliance to GDPR obligations.

Smith & Williamson collated the results of the Survey and worked with the Committee in presenting those results, including themes and recommendations arising. A total of 1,202 members responded to the Survey, representing approximately [15%] of current solicitors in Ireland and a breakdown of the respondent population is set out at the Appendix. Of those who responded, 25.04% were Partners of law firms and Sole Practitioners. The Survey posed additional voluntary questions for those respondents who manage employees and, of those respondents, 95% participated in answering these questions.

Note – Respondents were asked to indicate what type of organisation they were working in:

- A small law firm (1-4 Partners);
- A medium law firm (5-10 Partners);
- A large law firm (10+ Partners);
- In-house;
- Charity/NGO; and
- Public sector.

These classifications are therefore used in the Survey Report. The term ‘organisation’ is used to refer to all of the above.

1.3 NUIG Study and Government Policy

BENCHMARK AGAINST NUIG STUDY (OCTOBER 2020)

In October 2020, NUI Galway Whitaker Institute and the Western Development Commission, published its Phase II Report on “Remote Working during Covid-19: Ireland’s National Survey” (the “NUIG Study”)¹. This followed on from a Phase I national survey conducted in April-May 2020.² The NUIG Study was published approximately seven months after Covid-19 restrictions required thousands of workers to work remotely and provides an interesting snapshot of prevailing attitudes at the time.

¹ McCarthy, A., Bohle Carbonell, K., Ó Síocháin, T. and Frost, D. (2020). Remote Working during COVID-19: Ireland’s National Survey - Phase II Report. Galway, Ireland: NUI Galway Whitaker Institute & Western Development Commission.

² McCarthy, Ahearne, Bohle Carbonell, Ó Síocháin and Frost (2020).

The Government's 'Remote Work Strategy' was published by An Tánaiste and Minister for Enterprise, Trade and Employment, Leo Varadkar TD on 15 January 2021. This was Ireland's first National Remote Work Strategy to make remote working a permanent option for life after the pandemic. The NUIG Study was relied upon in the strategy paper.

In the NUIG Study, data was collected from employees across a wide range of industries and sectors over a one-week period. Approximately 10 months had since elapsed since the NUIG Study was published and there appeared to the Committee to be an opportunity to benchmark changes of attitudes particularly in terms of current arrangements, future preferences and behaviours.

This Survey, performed in July 2021, was an industry specific survey confined to solicitors holding a practising certificate in 2021 and this report (the "Survey Report") identifies a number of instances where findings are markedly different from similar findings set out in the NUIG Study.

*REPORT ON THE SUBMISSIONS RECEIVED FROM THE PUBLIC CONSULTATION ON
THE INTRODUCTION OF A RIGHT TO REQUEST REMOTE WORKING PUBLISHED ON 20
AUGUST 2021*

An Tánaiste and Minister for Enterprise, Trade and Employment, Leo Varadkar TD also published a report on 20 August 2021 based on 175 submissions received as part of the consultation process under way to draft laws to give employees the right to request remote work.³ Some of the report's findings are relevant to this Survey and are considered in subsequent sections.

2 Key Insights & Recommendations

2.1 Key Insights

Section 3 of this Survey Report highlights key findings of the Survey. The following is intended to be a brief overview of emerging themes.

1. Decreased prevalence of remote work on a full time basis

There is an increasing number of solicitors working on-site on a full or hybrid basis, in particular outside Dublin and in smaller organisations.

In the NUIG Study, 68% of respondents indicated they were working remotely since the outbreak of Covid-19 with 24% doing a mix of remote and on-site working. In this Survey, only 38% of respondents indicated that they were working completely remotely since the outbreak of Covid-19 with 61% working a mix of remotely and on-site.

2. More solicitor staff would prefer a blend of remote and 'in office' work arrangements

Organisations which offer remote/flexible working to solicitor staff will attract more people as most solicitors would prefer a mix of remote and on-site work

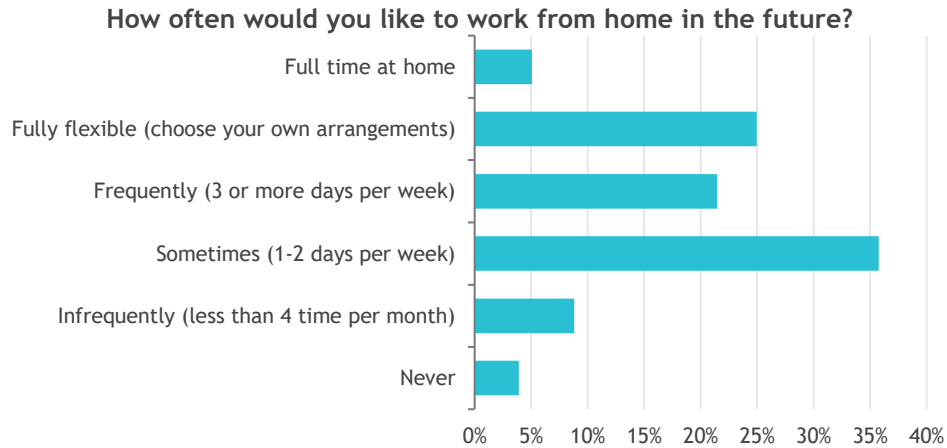
³ <https://www.gov.ie/en/publication/0311d-report-on-the-submissions-received-from-the-consultation-on-right-to-request-remote-working/>

arrangements. However, many employers have not yet indicated to their solicitor staff whether they are going to offer remote/flexible working arrangements. Most respondents have indicated that the availability of remote or flexible work arrangements will influence future career decisions.

In the NUIG Study, large majority of respondents (67%) indicated that they would only like to work remotely either several times a week or month after the Covid-19 pandemic:

- 27% indicated they would like to work remotely on a daily basis;
- 54% indicated they would like to work remotely several times a week;
- 13% indicated they would like to work remotely several times a month; and
- 6% indicated that they do not want to work remotely after the crisis is over.

Comparatively, this Survey shows that the solicitors’ profession profile of preferences is markedly different or suggests a change in remote working preferences since October 2020 where 91% would like hybrid working as opposed to full-time at home or in the office:



3. Respondents feel that remote work has not negatively impacted productivity

In the NUIG Study, 62% either agreed or strongly agreed that working remotely increased their productivity while 14% either disagreed or strongly disagreed with this statement. In this Survey, 70% agreed or strongly agreed that they were more productive when working remotely, with 30% disagreeing with this statement.

4. A large number of respondents work longer hours when working remotely

Most respondents appear to have managed remote working well. Most have been able to keep themselves motivated and have worked more, or the same, level of hours as they would do in the office. Those working in larger organisations have received greater technological supports and most respondents from larger organisations continue to work remotely more so than those from smaller organisations.

In the NUIG Study, 52% indicated that they work more hours, on average, when working remotely compared to on-site, 41% indicated that they work the same hours, and 7% reported that they work less hours.

In this Survey, 47% indicated that they work more hours when working remotely compared to on-site, with 42% indicating that they work the same hours and 11% indicating that they work less hours. These changes may be due to increased productivity, and, through the passage of time, respondents may be adapting better to managing remote working.

5. An increasing number of solicitor staff are responding to emails and work communications outside of regular office hours

In the NUIG Study, 36% indicated that they do not respond to emails and work communications outside of working hours, whereas 64% do respond to emails and communications mainly citing that they choose to or because of workload.

In this Survey, 21% of solicitors indicated that they do not respond to out of office emails outside of office hours and a higher proportion 79% indicated that they do respond to emails and communications saying they choose to or because of workload.

6. Solicitor staff have supplemented equipment provided by employers

A majority of respondents were satisfied that their employers had put in place the necessary technology to facilitate remote working. The majority of employers provided solicitor staff with equipment, albeit there is a notable difference between the extent of equipment supplied, but solicitor staff, particularly more recently qualified solicitors, have supplemented this by purchasing equipment themselves (purchasing equipment themselves to median cost of €300 based on 731 respondents). The highest amount paid by a respondent was €5,000.

7. Wellbeing of recently qualified solicitors is a prevalent issue

Respondents, including management, identified that training and mentoring junior colleagues had been impacted by remote work. Those who are more recently qualified or work in larger organisations, report they have experienced increased isolation arising from remote work. In a similar vein, 23% of respondents have experienced increased work-related stress arising out of working remotely, although 36% indicated that remote work reduced work-related stress.

8. The majority of respondents oppose enhanced monitoring of performance

A majority of employers have increased the monitoring of solicitor staff working remotely, either by way of regular review meetings, measurable targets or use of technological solutions. This is more prevalent in larger organisations with 78% preferring regular reviews. However, more than half of respondents were against electronic monitoring of performance whilst remote working, particularly so for more recently qualified solicitors who cited that they would find it more stressful.

9. Concerns that remote working will impact career progression, training of junior solicitor staff and access to senior personnel

Training, mentoring and supervising colleagues and solicitor staff is a key concern for respondents, including employers who responded to the Survey. Respondents were concerned that remote working will mildly or severely adversely affect their career progression, while training and mentoring solicitor staff is seen as negatively impacted by a majority of respondents particularly those in larger organisations.

2.2 Recommendations

These recommendations flow from the findings, and seek to assist the Law Society of Ireland, employers and members on the design of future working arrangements.

<p>Recommendation 1</p>	<p>Organisations should consider establishing communication policies regarding remote work arrangements, which should;</p> <ul style="list-style-type: none"> • indicate whether the employer will facilitate remote working and if so, to what extent; • explain the employer’s approach to monitoring of solicitor staff performance; • provide assurances regarding the training and development of solicitor staff who work remotely; • provide assurances regarding the impact of remote work on career progression; and • set out expectations regarding checking and responding to communications outside of normal working hours.
<p>Recommendation 2</p>	<p>Employers should consider taking steps to preserve their organisation’s culture, including:</p> <ul style="list-style-type: none"> • focusing on regular review meetings/check-ins with solicitor staff, rather than relying solely on measuring targets; • ensuring that remote work policies and the organisation’s expectations of solicitor staff are clearly communicated; • designing initiatives which respond to the need to ensure adequate training of junior solicitors and access to senior solicitors; and • organising inclusive social and team events.
<p>Recommendation 3</p>	<p>Where such organisations elect to offer hybrid-work arrangements to solicitor staff on a more long-term basis, the Law Society of Ireland should consider taking steps to assist employers and solicitor staff with transitioning to these arrangements, including by:</p> <ul style="list-style-type: none"> • designing wellbeing initiatives to assist solicitors who feel increasingly isolated when working remotely; • designing training on the effective use of e-solutions such as virtual data management systems and cloud based systems, especially for smaller organisations; • providing guidance to the management of organisations on considerations for the design and implementation of a remote work policy; • designing online courses to assist with challenges associated with remote working, such as information security; • providing guidance to organisations regarding the continued training and development of solicitors in a remote work environment; and • providing guidance to organisations regarding checking and responding to communications outside of normal working hours.
<p>Recommendation 4</p>	<p>The Law Society of Ireland should consider promoting continued remote access to courts, where appropriate, across all court jurisdictions.</p>

<p>Recommendation 5</p>	<p>The Law Society of Ireland should consider promoting initiatives, possibly including tax incentives, to assist organisations and solicitor staff with the cost of purchasing equipment required for remote working on a long term basis.</p>
<p>Recommendation 6</p>	<p>The Survey results indicate a number of areas where the experience and perception around remote and flexible working are different or more pronounced based on gender.</p> <p>Law Society of Ireland should consider reviewing these results in detail with a view to supporting the development of policy and further recommendations to address the findings.</p>
<p>Recommendation 7</p>	<p>The organisation size in which a solicitor works has an impact on their perception, availability and likely employment preferences based around remote and flexible work.</p> <p>The Practice Support Taskforce should consider reviewing these results with a view to developing policy and further recommendations to help address these variances.</p>
<p>Recommendation 8</p>	<p>Respondents were asked to rank the importance of a four-day working week within the context of other multiple choice options.</p> <p>The Law Society of Ireland should consider undertaking further focussed study on the various factors surrounding the concept of a four-day working week.</p>

3 Key Findings

In order to assess what shape future working arrangements might look like, it is necessary to firstly reflect on members' experience of working remotely including both the challenges and benefits associated with it.

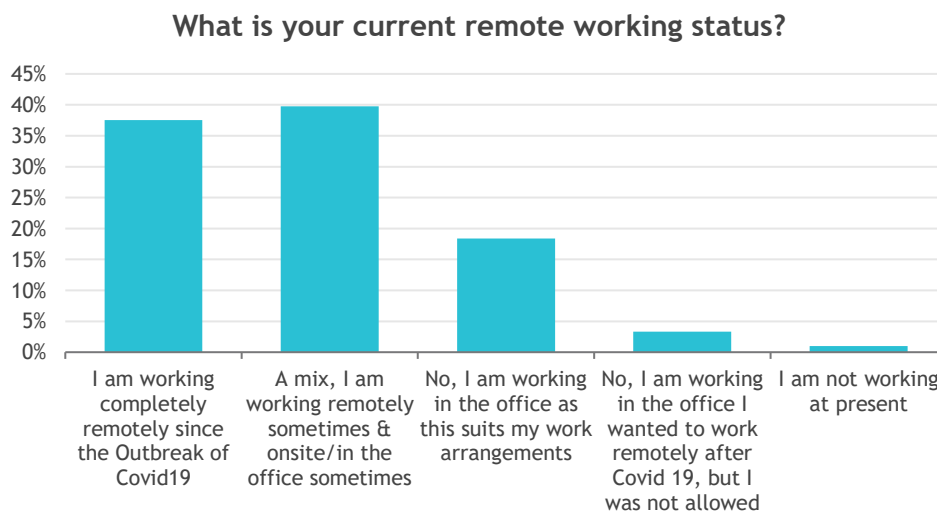
Some of the key themes arising from this section of the report, and further detailed below, are:

- The majority of respondents work on a fully remote or hybrid arrangement, although those working in smaller organisations are more likely to work in offices.
- The vast majority of respondents see benefits with remote work, including greater flexibility in managing family and care arrangements, increased productivity and reduced commuting costs.
- The mentoring of junior colleagues and learning from senior colleagues are notable challenges associated with remote working.
- A significant number of respondents (70%) see feelings of isolation from colleagues as a challenge with working remotely.
- The vast majority of respondents (89%) stated that they have worked the same or more hours, under remote working arrangements, although there appears to be a higher prevalence of the profession who respond to emails and communications outside of work hours when compared to the NUIG Study.
- A majority of respondents stated that remote work has not increased work-related stress levels or motivation levels.

3.1 Working Remotely: Current Remote Working Arrangements

Respondents were asked to identify their current remote working status. The findings may reflect that respondents working in smaller to medium sized organisations are more likely to work in offices and this may be because the type of work cannot be easily completed remotely, they are proximate to place of work or that such organisations do not have the necessary resources or systems in place to facilitate remote working compared with those provided to respondents working in larger organisations, public sector or in-house roles.

- 38% of respondents are working exclusively on a remote basis since the outbreak of Covid-19 and a further 40% of respondents are working a blend of remotely and on-site. In the NUIG Study 68% of respondents were working remotely and it is not surprising with the passage of time that less people are remote working exclusively remote working almost a year later.
- Of these, there is a significant difference between size of organisations – a large majority of respondents working in large organisations (94%), in-house (95%) and public sector (95%) have either worked exclusively remotely or attended the office on an occasional basis. This is in contrast with 50% of respondents working in small organisations and 69% of respondents working in medium organisations.
- A small percentage of respondents (3%) wished to work remotely but were not allowed to do so. More solicitors with children are working in the office (25%) as against respondents who do not have any children (17%).
- A notable difference along gender lines is that 26% of male respondents have continued to work in offices as it suits their work arrangements, compared to 14% of female respondents. This also tallies along geographical breakdown with 26% of non-Dublin based respondents continuing to work in offices as it suits their work arrangements compared to 13% of Dublin based respondents.
- The demographic breakdown shows no distinction in work arrangements based on level of qualification.



Benefits Associated with Remote Working

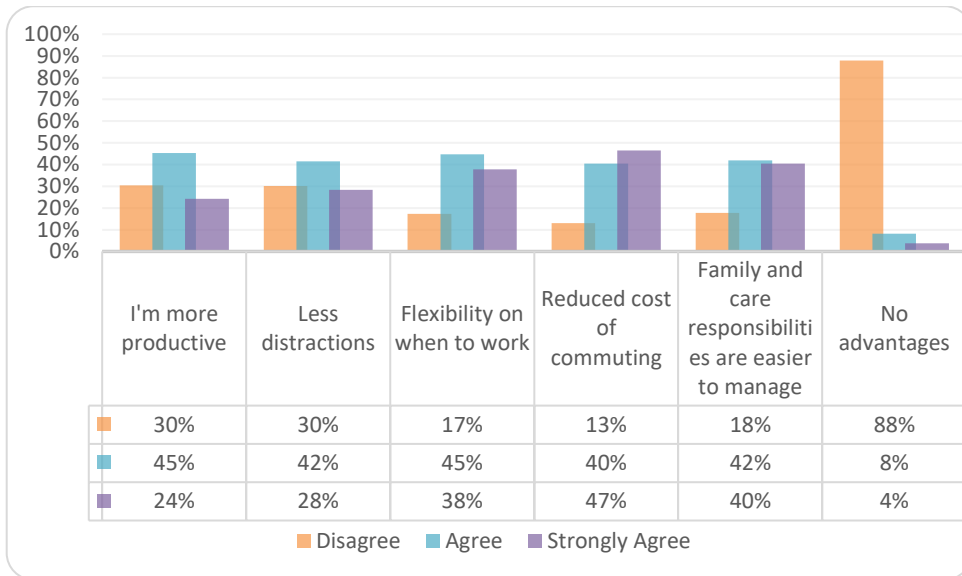
“As an older member of the profession I was sorry for the younger colleagues who missed coaching and mentoring. They need support” - Respondent

Respondents were also asked to assess benefits associated with remote working.

A striking finding is that 88% of respondents disagreed that there are no advantages to working remotely and 69% of respondents ‘Agreed’ or ‘Strongly Agreed’ that they were more productive when working remotely, comprising 76% of female respondents and 58% of male respondents.

The findings show less enthusiasm for remote work than findings set out in the NUIG Study. For instance, whilst 38% of the Survey’s respondents strongly agree that flexibility on when to work is a benefit of remote working, a similar question in the NUIG Study was answered positively by 51% of respondents.

Nearly a quarter (23%) of respondents in the NUIG Study strongly agreed that managing family and care responsibilities is an advantage of remote work however, our study finds that 82% of the profession agree or strongly agree that this is the case.



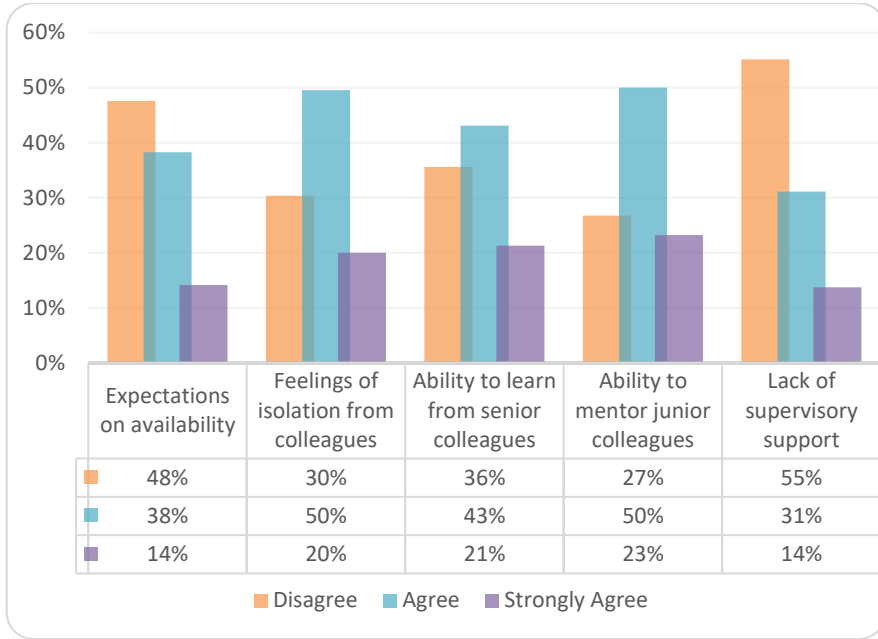
Challenges Associated with Remote Working

Respondents were asked to consider the biggest challenges of remote working.

Challenges of connecting with the office

Respondents either agreed or strongly agreed that the ability to learn from senior colleagues (65%) and mentor junior colleagues (73%) are challenging as are feelings of isolation from colleagues (70%). Feelings of isolation are more pronounced among respondents working in larger organisations (73%) compared to those working in small organisations (65%). These findings are consistent with the management perspective where 54% of management respondents see remote working as negatively impacting the training and mentoring of solicitor staff.

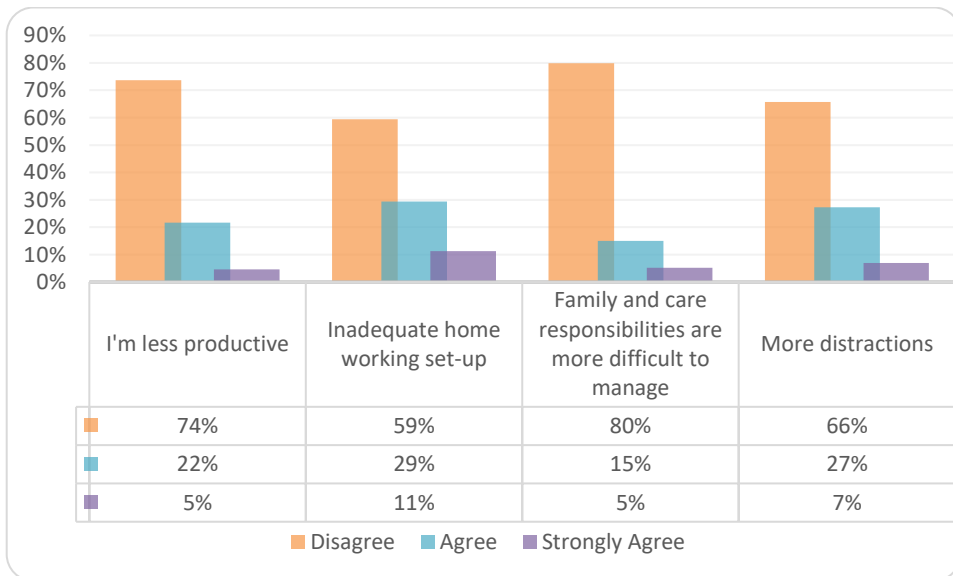
48% of respondents disagreed that remote working introduced challenges on expectations of availability (14% of female respondents and 39% of male respondents) and 55% disagreed that a lack of supervisory support was a challenge associated with remote working (comprising 14% of female respondents and 45% of male respondents). This represents a marked divergence along gender lines.



Challenges of remote work arrangements

The majority of respondents disagree that they have experienced challenges working remotely associated with decreased productivity, inadequate home working set-up, increased difficulty with managing family and care responsibility or additional distractions.

Only 20% of respondents agreed or strongly agreed that family and care responsibilities are more difficult to manage. Although, in both cases, more men than women agreed (21% vs. 12%) and strongly agreed (7% vs. 4%).

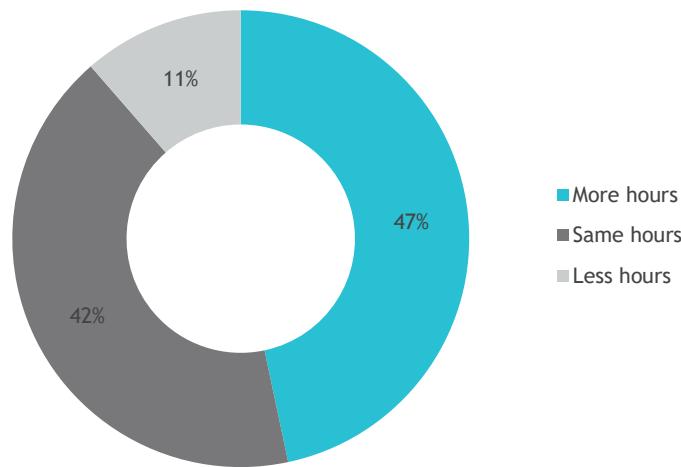


Practical Impacts

Impact on hours worked

The number of hours worked by respondents does not appear to have been significantly reduced by remote work arrangements. 89% of respondents stated that they have worked the same or more hours, with just 11% responding that they have worked fewer hours (although this increases to 19% of respondents working in small organisations).

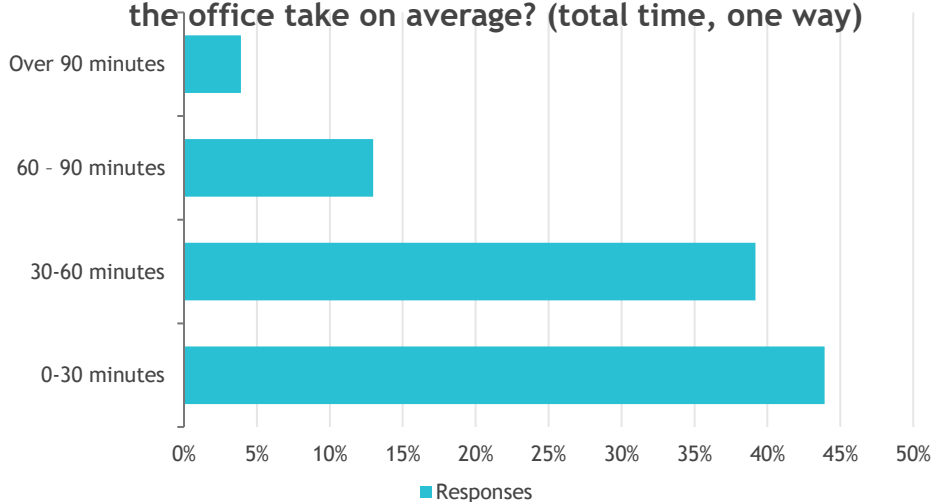
When working remotely compared to onsite in your office have you worked on average?



Impact on commute

Most respondents (83%) had a commute of less than one-hour pre-Covid to their office, while almost half of respondents (44%) had a commute of less than 30 minutes. Most male respondents (53%) travelled less than 30 minutes compared to female respondents (39%) as did solicitors working in smaller organisations 61% (compared to 41% of respondents working in large organisations). Many solicitors working in medium sized organisations (22%) and solicitors working in In-house roles (27%) have longer commutes of more than 60 minutes.

Pre Covid 19, how long did your daily commute to the office take on average? (total time, one way)



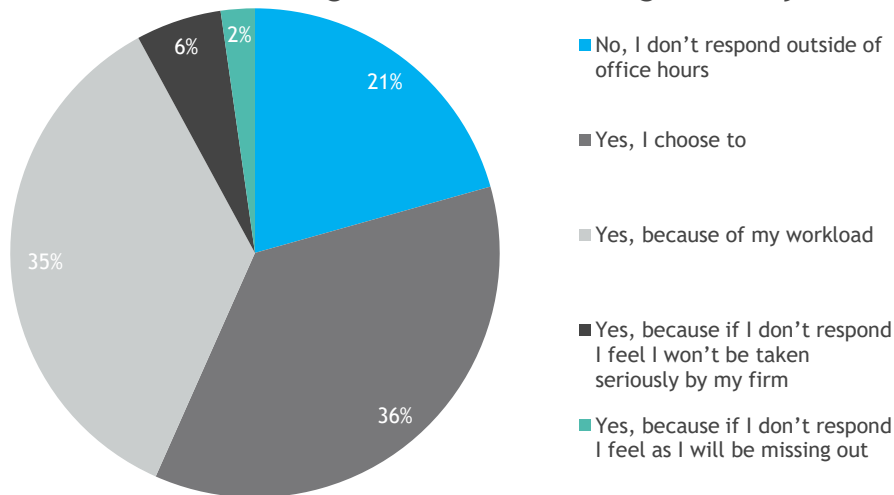
Impact on responding to communications outside of working hours

Only 21% of respondents stated that they do not respond to emails and communications outside of work hours, when working remotely, with a marked difference between those working in large organisations (8%) compared to other organisation types (which vary from 21% to 28%). This is in contrast to 36% of those surveyed in the NUIG Study, perhaps reflecting that solicitors may be more inclined to answer emails outside of working hours.

In relation to respondents who do respond to such communications, 36% do so out of choice, 35% due to workload and just 8% because they feel that not responding will mean that they will not be taken seriously by their employer or because they would be 'missing out'. It is noteworthy that those working in large organisations are more inclined to respond to such emails with 92% stating they are more inclined to answer emails outside of working hours as against 72% in small organisations and 76% in medium sized organisations.

“Clients in our rural practice expect us to be at work and able to deal with their queries when they ring or call in.” - Respondent

Do you respond to emails and communications outside of working hours when working remotely?

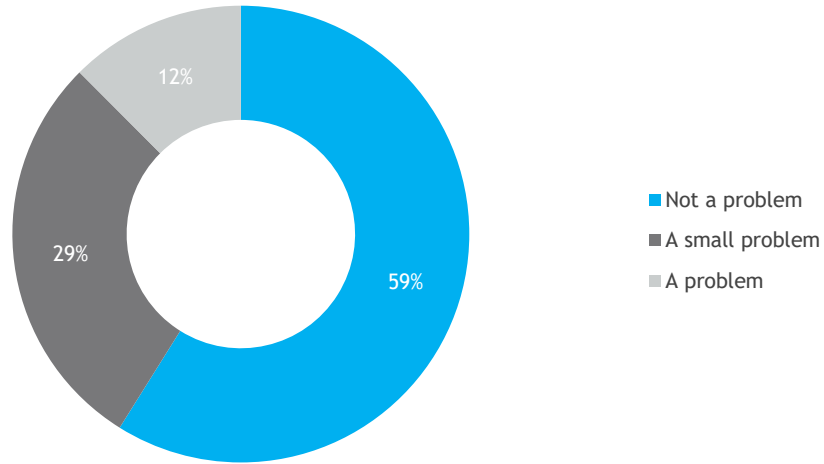


Impact on motivation levels

59% of respondents indicated that staying motivated whilst working remotely is not a problem, with just 12% of respondents noting that it was an issue. This headline is in keeping with 56% of management respondents who stated that remote work has positively impacted, or not changed employee motivation levels.

As regards demographic breakdown, the results are more in-line with employer respondents as respondents with less than 3 years' qualification found motivating themselves more of a challenge (52%) in contrast to 39% of respondents with 10+ years PQE. Respondents with no children also reported motivation to be more of a problem for them than those with children - this may reflect a younger generation living in accommodation not as suitable for home working.

How did you find keeping yourself motivated whilst working remotely?



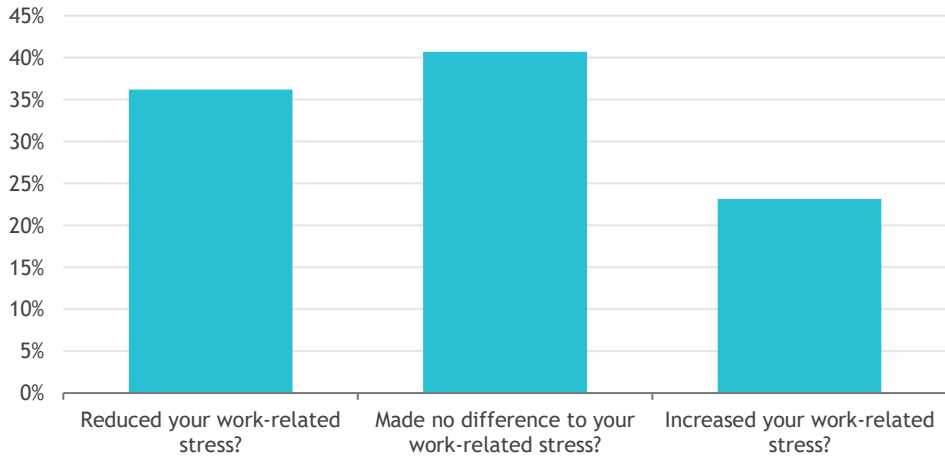
Impact on stress

77% of respondents stated that remote work either reduced work-related stress or made no difference. Of those who indicated that working remotely increases work-related stress (23%), more female respondents (40%) than male respondents (30%) found this to be the case.

This is more than the results of the NUIG Study in October 2020, which was published seven months after Covid-19 forced many organisations to move to remote working, which found that 54% of respondents stated that working remotely had reduced their work-related stress levels. The reduction in respondents' finding remote working stressful may relate to the longevity of the period for the need for remote working and perhaps people are managing remote working better.

“As a junior solicitor, I have found the past 18 months to be very challenging from a work perspective, due to feelings of isolation and a lack of motivation...” - Respondent

Did you find that working remotely...



3.2 Working Remotely: Technological and Physical Infrastructure

Suitable and adequate technological and physical infrastructure is key to ensuring a productive work environment, regardless of whether an individual works remotely or in an office. This section provides an assessment of respondents' views on equipment and other supports provided to them during remote arrangements to date.

'Supports' for the purpose of this section means information technology (IT) supports (including both hardware and software), office equipment, and training. Supports come from either an employer (such as through the provision of IT systems), the employee (such as purchasing office equipment) and/or the Law Society of Ireland (such as through the rollout of policies impacting the legal profession).

Some of the key themes arising from this section of the report, and further detailed below, are:

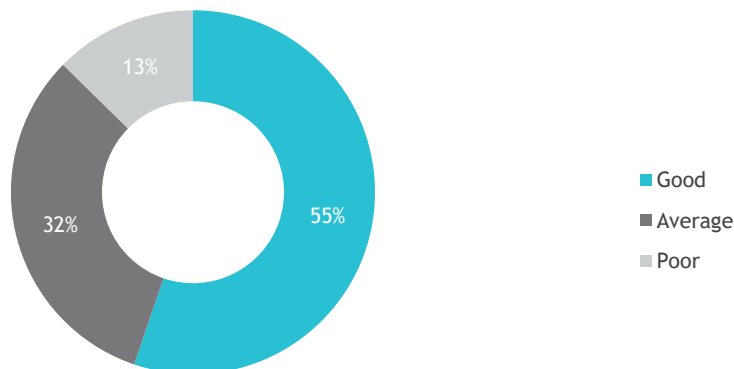
- The majority of respondents have been provided with equipment by employers.
- The vast majority of respondents (90%) are satisfied that they adapted successfully to the technology required for working remotely, although respondents working in larger organisations were more satisfied that they were provided with the IT tools to facilitate remote working.
- 61% of respondents supplied or purchased additional equipment, each spending a median of €300 based on 731 respondents. This was more prevalent among less qualified solicitors.
- Respondents were asked to rank, in relation to technology, what the biggest challenges of remote working are. Overall, the greatest challenge was 'internet connectivity'. This was true of both men and women and respondents both in and outside Dublin.
- For small and medium organisations, the biggest challenge was that complete files are not available digitally.
- For large organisations the biggest challenge is internet connectivity.

Remote office set-up

Respondents were asked to rate their current remote office setup, with just 13% regarding it as 'Poor'. These figures reflect a slight reduction from similar responses contained in the NUIG Study, which showed that 45% of respondents regarded their set-up as 'Good' and 35% regarded it as 'Average' with 18% indicating it was a "Problem" or a "Significant Problem".

93% of respondents in large organisations stated that their remote office set-up was 'Good' or 'Average', compared to 79% of those working in small organisations. This is perhaps reflective of increased resources at the disposal of large organisations.

How would you rate your working from home set up?

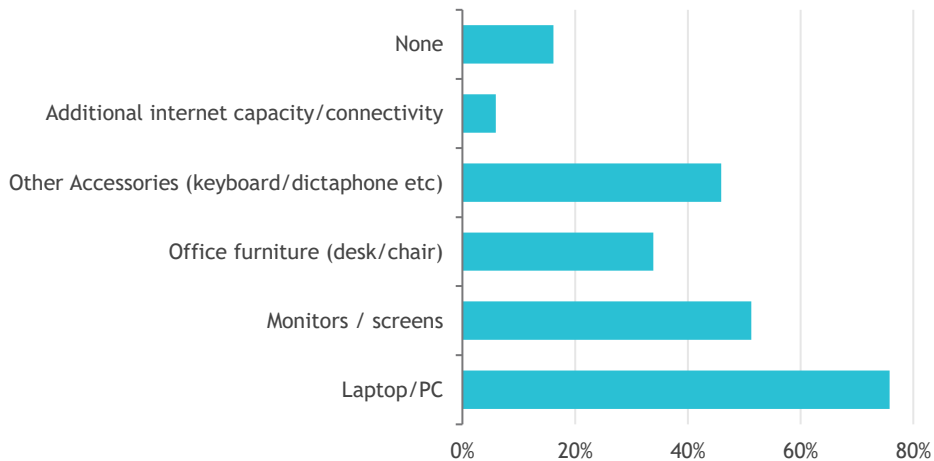


Employers' provision of equipment

The level of equipment provided by employers at the outset of the Covid-19 pandemic shows a significant difference between organisation type, with 16% of respondents not provided with any equipment by their employers (this increases to one third of small organisations).

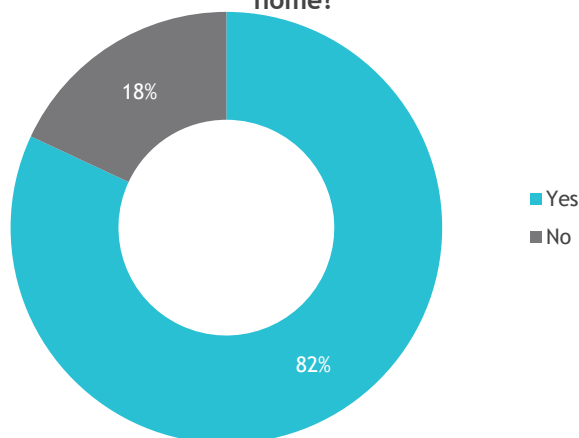
84% of respondents in large organisations were provided with a laptop/PC, compared to 60% of those working in small organisations. 34% of respondents were provided with office furniture and 51% were provided with monitors/screens (74% of respondents in large organisations, compared to 23% of those working in small organisations).

Following lockdown, what equipment was provided by your employer? Select as many as are applicable



That being said, 82% of respondents were satisfied that their employer had put in place the IT technology and tools required to facilitate working remotely, with the most marked difference between those working in large organisations (92%) and those in small organisations (70%).

Do you feel your firm/organisation put in place the IT technologies/tools required to facilitate working from home?



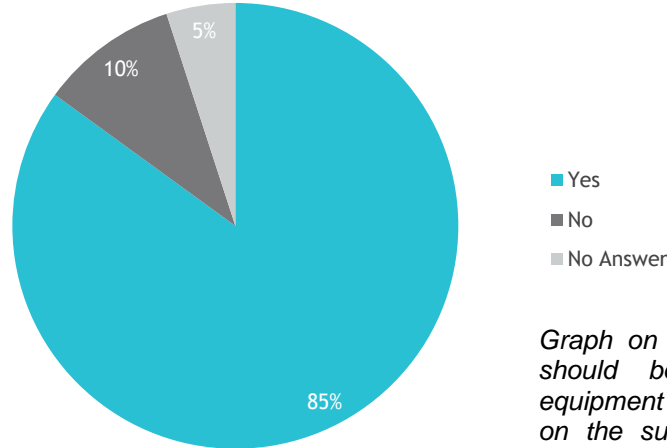
90% of respondents were satisfied that they adapted successfully to technologies required to work remotely.

As noted earlier in this Survey Report, An Tánaiste and Minister for Enterprise, Trade and Employment, Leo Varadkar TD published a report on 20 August 2021 based on 175 submissions received as part of the process under way to draft laws to give employees the right to request remote work.⁴

⁴ <https://www.gov.ie/en/publication/0311d-report-on-the-submissions-received-from-the-consultation-on-right-to-request-remote-working/>

When asked whether employers should bear the cost of equipment, 85% of respondents were in favour of the employer bearing the cost, while 10% were not in favour. 12% of those who responded suggest the introduction of a Government grant or tax incentive scheme, similar to the Cycle-to-Work scheme.

Should the employer bear the cost of providing all equipment for remote working arrangement as well as covering the cost of maintenance

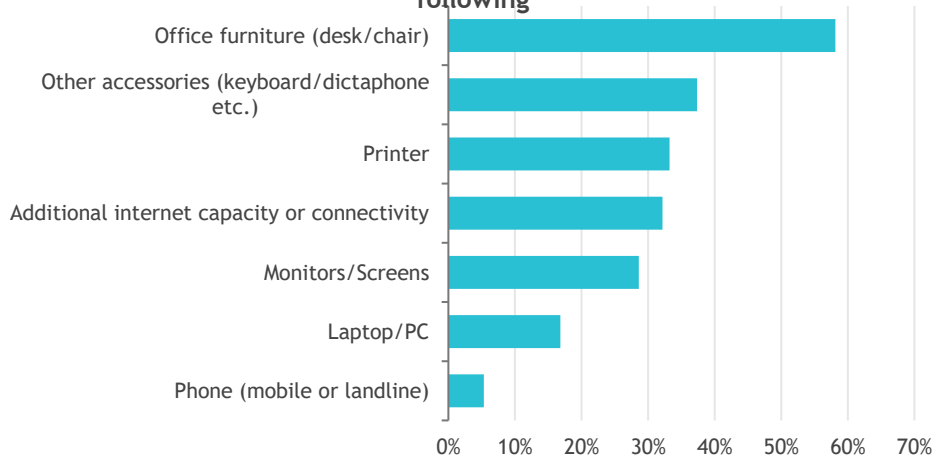


Graph on whether employers should bear the cost of equipment taken from Report on the submissions received from the Consultation on Right to Request Remote Working dated 20th August 2021

Employee response to technology and purchasing equipment

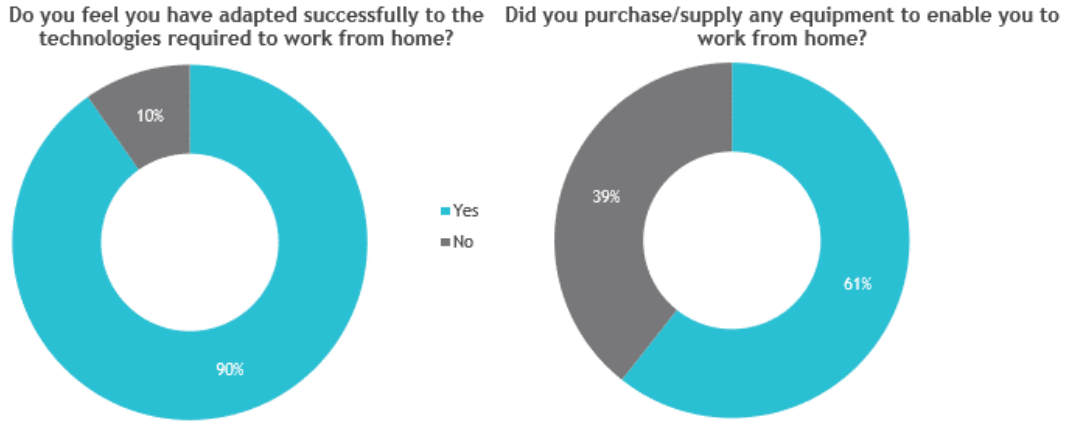
61% of respondents purchased or supplied equipment to enable remote working, with the most common equipment being office furniture (58%), printers (33%), and additional internet connectivity (32%). Despite the Report published in August 2021 which provided that 85% of respondents were in favour of the employer bearing the cost, this Survey suggests that employees supply some equipment.

If you purchased equipment, did you buy any of the following



The median spend on equipment by employees was approximately €300 based on 731 respondents where employees were buying office furniture (desk/chair), other accessories (keyboard/dictaphone), printers and monitors.

The need to purchase equipment appears to correlate with level of qualification, for example in relation to office furniture (68% of respondents of less than 2 years' qualification compared to 51% of those with 10+years qualification). This may reflect the fact that those with higher PQE levels already had home office furniture.



3.3 Working Remotely: Future Preferences

The landscape of work arrangements was dramatically impacted by the Covid-19 pandemic. However, it is not yet known whether this will have a lasting effect on the legal profession into the future.

In Section 3.1, the Survey Report examined the prevalence, challenges and benefits of remote work and in Section 3.2, the supports provided to and required by solicitor staff is highlighted. In this section, the Survey Report assesses the willingness of employers to facilitate remote or hybrid work arrangements into the future and the extent to which such flexibility will be a factor in attracting and retaining solicitor staff.

This section also touches upon the future needs of solicitor staff, in terms of supports required from employers and the Law Society of Ireland.

Some of the key themes arising from this section of the report, and further detailed below, are:

- Respondents would prefer a hybrid model of working rather than working exclusively remotely or full time in an office.
- 36.5% of respondents indicated that ‘work/life balance’ is their key priority, followed by ‘flexible working arrangements’ (29.9%).
- 64% of respondents stated that the provision of remote working arrangements would influence whether they will remain with their organisation/employer. Based on these results, the provision of remote working arrangements is something employers should give serious consideration to if they want to retain employees.
- There is an evident need for the Law Society of Ireland and employers to develop training and policies around remote working arrangements, to touch on key points such as information security and wellbeing.
- Respondents working in larger organisations appear concerned by a lack of engagement communication from their employers whereas the rollout of cloud-based case management and document management systems is a concern for those working in smaller organisations.
- The need for improved internet connectivity is common across all demographics.

Preferences for future working arrangements

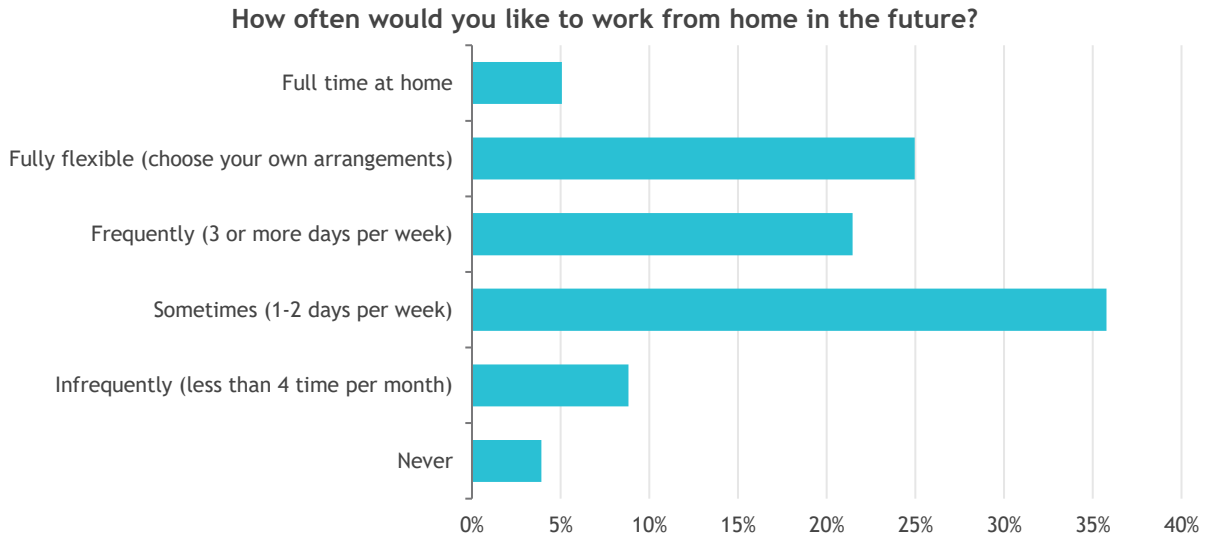
When asked about future work preferences, 91% of respondents want some form of hybrid working. This is a marked contrast to the NUIG Study, where 67% of respondents wanted hybrid working. Similarly, only 5% of respondents would like to work remotely fulltime compared to 27% in the NUIG Study.

The demographic analysis is also telling:

- 85% of women want some form of hybrid working compared to 77% of men.
- 17% of respondents based out of Dublin ‘never’ or ‘infrequently’ want to work remotely compared to 10% in Dublin.
- 15% of people with children ‘never’ or ‘infrequently’ want to work remotely compared to 10% of people with no children.
- More solicitors in small (8%) and medium organisations (6%) never want to work remotely compared to only 1% of those working in large organisations. The difference is also evident with those wishing to work 4 or less days a month remotely (7% in large organisations compared to 16% in small organisations and 8% in medium organisations).
- Most respondents want to work remotely 1-2 days a week (small organisations - 44%, medium organisations - 44%, large organisations - 35%).
- More people in large organisations want to work remotely 3 or more days a week (22%) compared to medium organisations (17%) or small organisations (11%). The same trend is evident in those seeking fully flexible arrangements (large organisations - 30%, medium organisations - 24%, small organisations - 18%).
- More people in large organisations want to work full time remotely (6%) compared to those in small (2%) or medium (2%) organisations.
- The overall figures are slightly higher among respondents working in-house and in public sector roles, with 86% of inhouse solicitors wanting some form of hybrid working and 89% of public sector solicitors. 4% of inhouse respondents and 6% in the public sector ‘never’ or ‘infrequently’ want to work remotely. 10% of solicitors working inhouse and 5% of public sector solicitors want to work remotely fulltime.

“Hybrid model gives flexibility but 2 - 3 days in office still necessary.” – Respondent

“Has proved successful flexible work arrangements will mean less burn out and more retention of staff and strengthening of profession” - Respondent



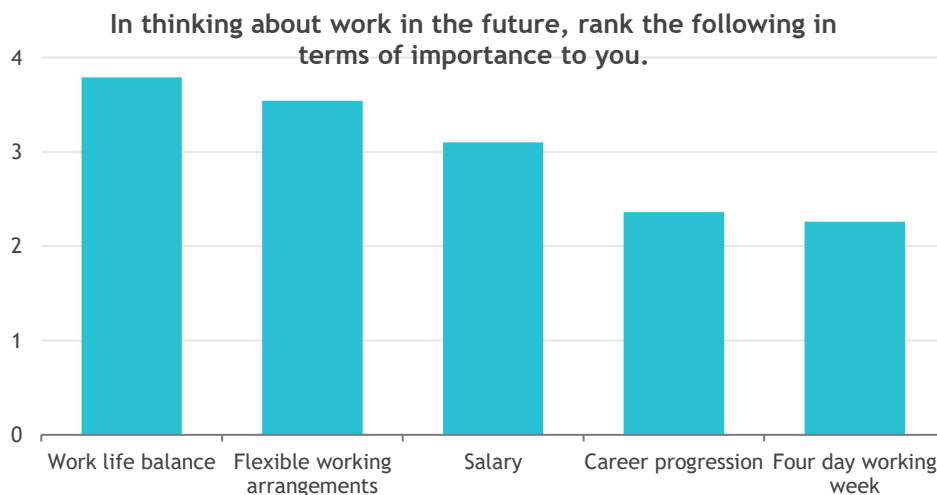
Priorities for future working

Respondents were asked to rank what things would be most important when thinking about work in the future. Of the 399 respondents who signalled preferences, 36.5% indicated that 'work/life balance' would be their key priority, followed by 'flexible working arrangements' (29.9%). The same ranking was given to these things by both men and women, those in small, medium and large organisations and those in Dublin and outside.

Interestingly, of the five options provided, 'career progression' was the least important factor for respondents (9.3%).

Female respondents and respondents working in small organisations considered a 'four-day working week' more important than 'career progression', whereas the opposite was the case for male respondents and those working in medium or large organisations. In a similar vein, for respondents based outside Dublin, 'career progression' was less important than a 'four-day working week'.

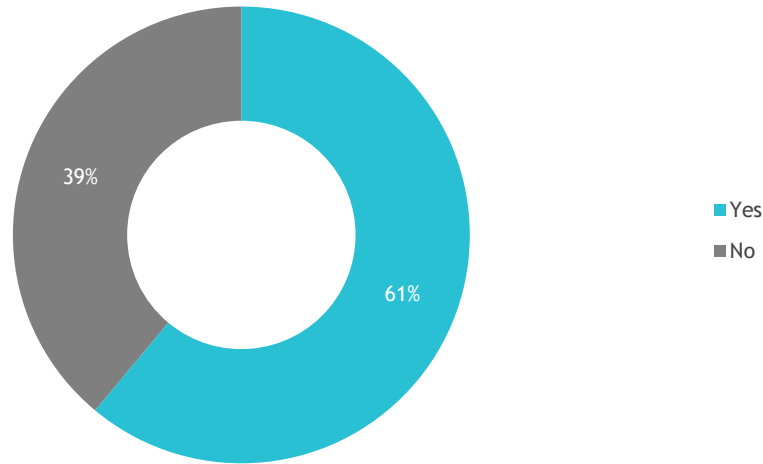
Respondents were offered the option of a four-day week within the context of selecting multiple choices and we recommend further study on preferences around a four-day week in the future.



Informing solicitor staff of future plans

At the time of the Survey just over 60% of employers had indicated to respondents whether remote working arrangements would be available in the future. In Dublin this figure was slightly higher at 66% and large organisations were most likely to have indicated this to employees (70%) compared to 51% of small organisations. The highest figure was for respondents working in-house with 78% of organisations having informed their employees of future working arrangements.

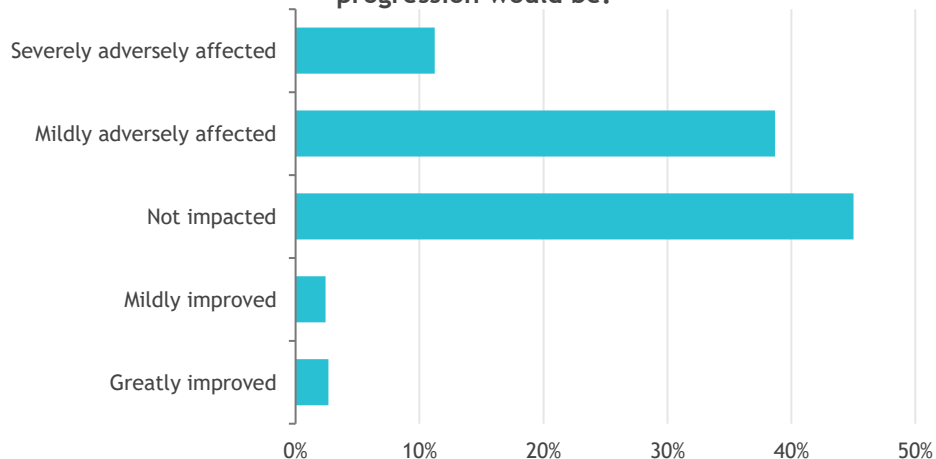
Has your employer indicated whether remote/flexible working arrangements will be available in future?



Impact on career progression

45% of solicitors felt that working remotely would not affect their career progression. This was slightly lower than the NUIG Study, where 49% of respondents thought their career progression would not be affected. Only 5% of respondents thought career progression would be greatly or mildly improved, in marked contrast to 30% of respondents to the NUIG Study when asked a similar question. It is clear from these results that solicitors consider that remote working may affect their career progression, in contrast to the cross-industry respondent population in the NUIG Study. Employers will need to factor this into their career progression plans to allay fears and address potential inequalities that would emerge depending on flexible working arrangements

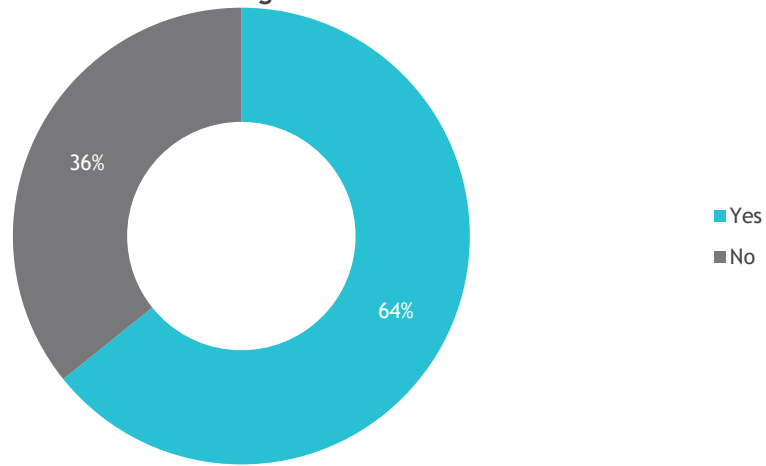
If you were working remotely, rather than working predominantly from the office, do you feel your career progression would be:



Influence on solicitor staff retention

Almost two thirds (64%) of respondents stated that the provision of remote working arrangements would influence whether they will remain with their organisation/employer. This figure was higher among women (69%) than men (55%). It was also significantly higher among respondents with no children (71%) than those with children (59%) and those working in large organisations (75%) than medium organisations (61%) and small organisations (46%). This figure was highest with inhouse solicitors (83%). Based on these results, the provision of remote working arrangements is something employers should give serious consideration to if they want to retain valuable talent.

Will the provision of remote working arrangements influence whether you will remain with your employer /organisation?



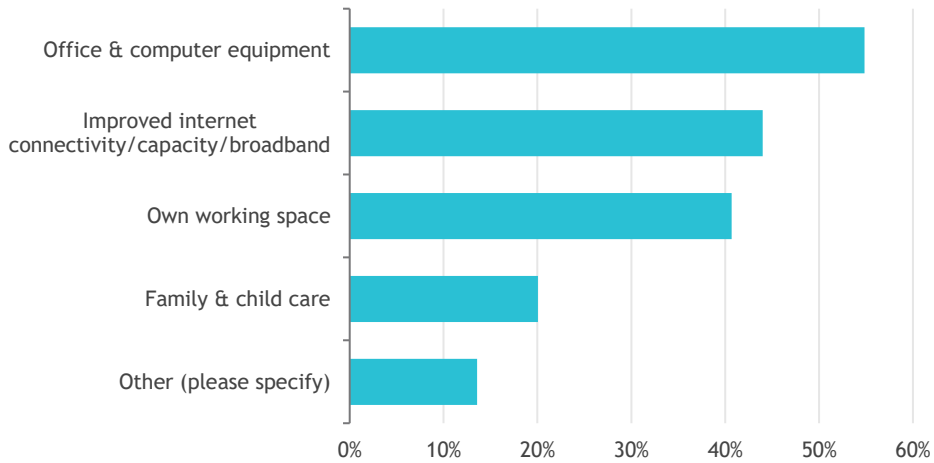
Future supports needed

“Wellbeing supports are in place but consist of access to an external mental health service/counselling which I feel no need to access. My preference would be to provide a budget for this per employee, which the employee could choose how to use for wellbeing”

Respondents were asked to provide detail on additional supports they think will be required to work effectively on a remote basis in future: 55% stated a need for office and computer equipment, 44% required improved internet connectivity, and 41% required their own working space.

There is no significant difference across demographics, save that managing child and family care is a priority for 27% of female respondents, compared to just 9% of male respondents.

In future what additional supports will you need to be able to work effectively from home ?



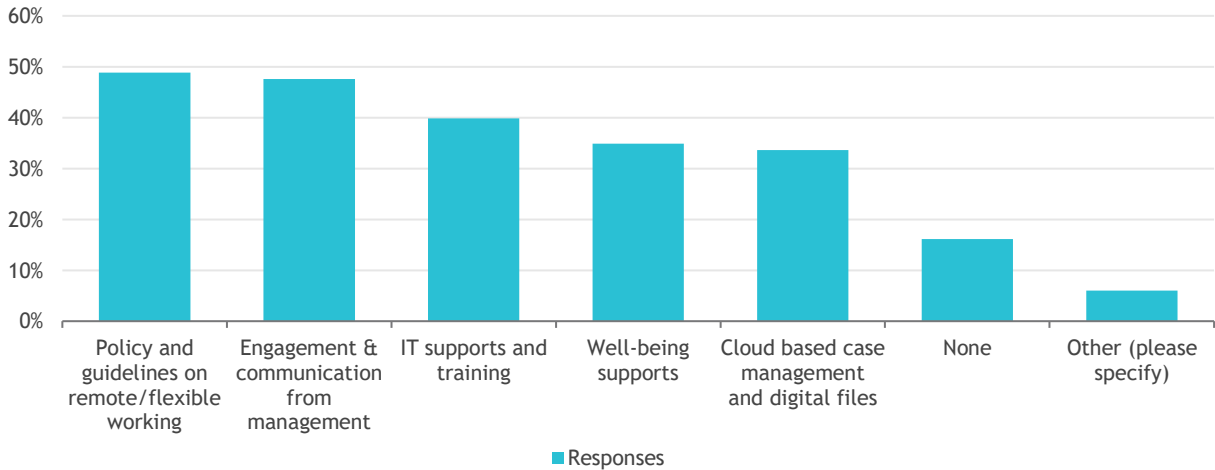
In relation to what additional supports could be put in place by employers, 49% see a need for policies and guidelines on remote/flexible working, 48% see a need for additional engagement and communication from management (particularly those in medium and large organisations) and 40% see additional IT supports and training as being required. Other suggestions made by respondents included:

- office furniture and IT for home workers;
- IT in the office to allow remote workers connect in;
- employers paying for increased utilities, for example internet, heat and lighting;
- social events;
- a clear statement that remote working will not impact career progression;
- structures around times to email/phone; and
- cloud case management systems.

“Emails sent after 8pm should not be delivered until 8am the next morning subject to an exception” - Respondent

“The Law Society should proactively advocate on behalf of employees of legal firms in encouraging firms to allow remote working/flexible working conditions”- Respondent

What additional supports should be put in place by your employer?

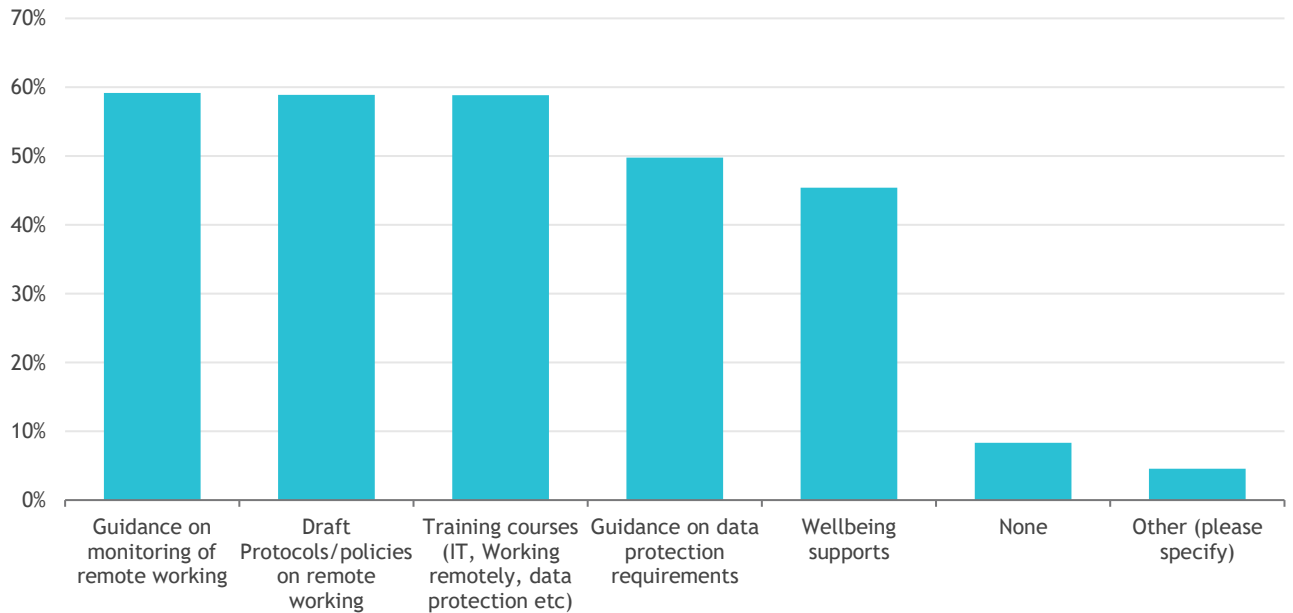


In relation to what additional supports could be put in place by the Law Society of Ireland, 59% of respondents see a need for additional training courses, guidance/protocol and policies on remote working, and 50% see a need for guidance on data privacy requirements (particularly respondents in small organisations). 45% of respondents see a need for additional wellbeing supports. Other suggestions made by respondents included:

“A particular focus needs to be put on female solicitors on whom the caring responsibility (children/elderly) seems to have fallen disproportionately in the pandemic...” - Respondent

- liaising with the Courts Service re e-litigation and remote courts;
- encouraging employers to offer remote working;
- online CPD;
- guidance on emails outside work hours and right to disconnect/switch off;
- IT training including on legal search engines; and
- IT training, perhaps from fellow solicitors, on the various case management systems.

What additional supports could be put in place by the Law Society?



3.4 Working Remotely: Management Perspective

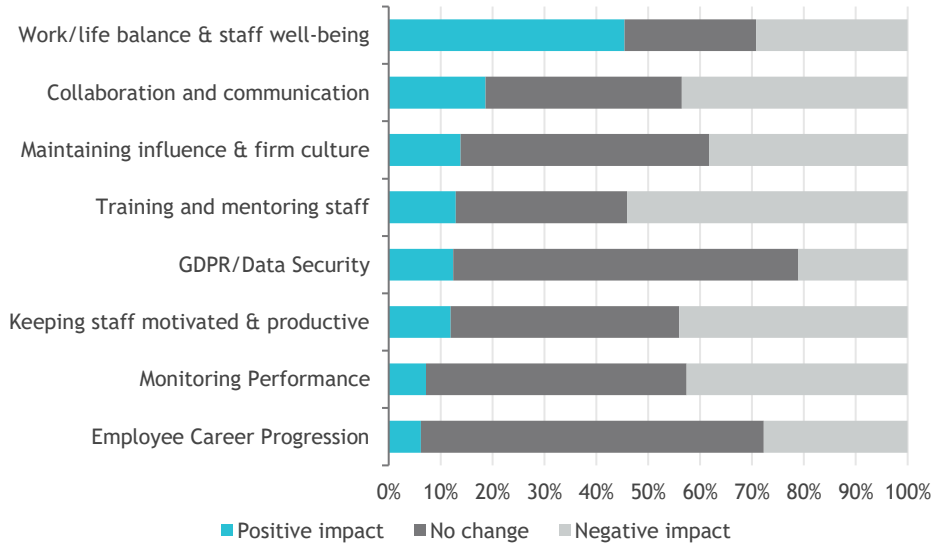
The Survey posed additional voluntary questions to practice owners and equity partners specifically targeted at those who manage employees. A quarter of respondents were either Partners of law firms or Sole Practitioners. Three voluntary questions were posed to managers of employees and 95% of eligible participants answered these questions.

Some of the key themes arising from this section of the report, and further detailed below, are:

- The majority of management respondents view the Covid-19 pandemic as having no impact on employee career progression although a significant number (28%) see it as having a negative impact. Employees however are more concerned about this issue with 50% reporting a perceived negative impact.
- Training, mentoring and supervising colleagues and solicitor staff is a key concern for management and solicitor staff alike. Future working practices will need to positively and actively address both the perception and reality of how organisations manage, support and train team members at all levels in the future working environment.
- Management respondents indicated that the most positive impact of remote working arrangements, due to Covid-19 restrictions, has been the impact on 'work-life balance' and solicitor staff wellbeing. Interestingly, data security is not a significant concern for management respondents.
- A key challenge with maintaining a remote or hybrid work environment is the ability of organisations to maintain culture, particularly among larger organisations, and the potentially negative impact on collaboration and communication within an organisation.
- The majority of organisations have adapted measures by which staff performance is monitored, with a preference for regular review meetings and use of measurable targets (particularly among larger organisations). Solicitor staff, particularly those less experienced, are not open to increased monitoring of performance and would find it more stressful.
- The willingness of management to facilitate remote work arrangements is likely to be a key factor in attracting and retaining valuable talent going forward, although some practice areas (such as litigation and conveyancing) may be more demanding in terms of requiring on-site attendance. Overall, from an employer perspective, managers are positive towards remote working with 68% saying they are likely, very likely or definitely going to facilitate it.

Impact of the pandemic on legal firms/organisations

Respondents who manage employees were asked to rate the impact of the pandemic on their firm/organisation. Overall, these respondents view the pandemic as having a more negative impact than positive, however most feel the pandemic has had no significant impact. There is a bias in negative perception with larger organisations seeing the impact significantly more negatively than peers in smaller organisations.



Impact on work life balance and staff well-being

The Survey findings show that from management’s perspective, the standout positive impact of the pandemic by far has been the impact on ‘work/life balance’ and solicitor staff wellbeing (45%). However, it is notable that 29% of respondents felt there has been a negative impact in this area. Given this is a management perspective it is interesting that this correlates with the overall Survey result where work life balance and flexible working arrangements ranked highest for individuals in terms of importance for future working arrangements.

As seen earlier in this Survey Report, a majority of employees also reported that the provision of flexible and remote working arrangements will influence their career decisions. Employers will need to carefully consider these benefits and individual preferences when looking to future working arrangements as we move to the post-pandemic phase.

Impact on GDPR and Data Security

It is interesting to note that 67% of managers felt that the pandemic had no impact on GDPR and data security, despite public commentary around the issue, with only 21% viewing it as having a negative impact.

“It is the view that it is too difficult from a managerial and data protection perspective to facilitate remote working” - Respondent

Impact on Career progression & solicitor staff training

For most organisations (66%), management view the pandemic as having no impact on employee career progression although a significant number (28%) see it as having a negative impact. This result is consistent across the profession, with small, medium and large organisations reporting similar results.

Employees however are more concerned about this issue with 50% reporting a perception that remote working will mildly or severely adversely affect their career progression.

54% of management respondents view the training and mentoring of solicitor staff as having been negatively impacted however this concern is more prevalent in larger organisations (85%). In a similar vein, as noted earlier in this Survey Report, 73% of employees also see remote working as having a challenging effect on an organisation's ability to train and instruct junior solicitor colleagues.

Keeping staff motivated and productive

While 56% of managers found that remote working had a positive impact or no change on employee motivation levels, a significant proportion (44%) of management respondents felt that the Covid-19 pandemic and new work environment had a negative impact on maintaining staff motivation and productivity. For larger organisations, as compared to medium and small organisations, this is a much bigger perceived issue with approximately 80% of these organisations indicating it has had a negative impact. This might suggest that larger organisations, with bigger teams, may have less 'social glue' to rely on and are less likely to have had face to face communication during the last 18 months.

Maintaining influence in the employment marketplace and organisation culture

On maintaining influence and organisation culture, opinion is generally neutral to negative with just 14% reporting it has had a positive impact. Nearly half of management respondents reported it had no impact, however two in five management respondents felt it had a negative impact on maintaining influence and organisation culture. For medium and larger organisations, this impact is perceived as greater with 78% of medium and 67% of larger organisations indicating a negative impact (as compared to 29% of smaller organisations). This would indicate that the larger the organisation and team size the more difficult it is to maintain cultural influence and engagement.

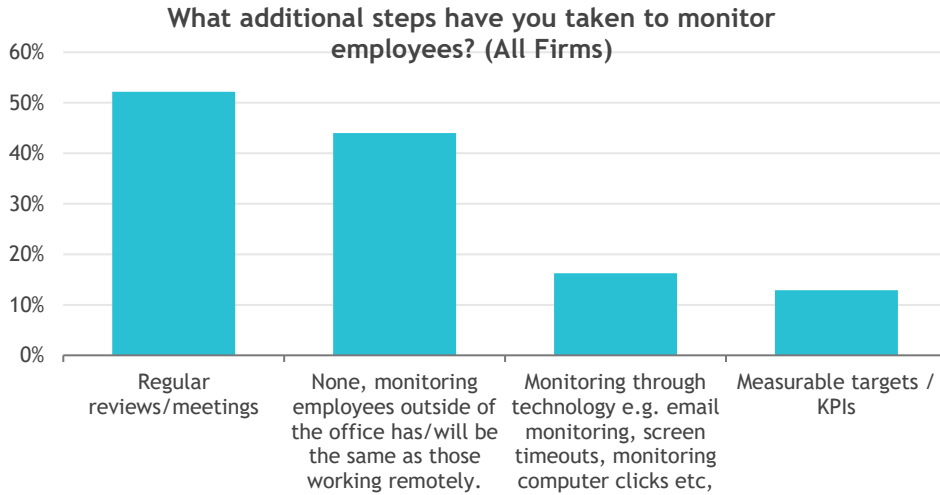
Collaboration and communication

With respect to the impact on team collaboration overall the feeling is that remote working has had negative consequences on collaboration and communication, with only 19% of respondents indicating a positive impact and 38% reporting no change. Again, there was division where 44% found this area had been negatively impacted. Of that cohort, smaller organisations (37%) felt they had been negatively impacted, compared to 67% of medium organisations and 74% of larger organisations (74%).

Monitoring performance

In terms of monitoring performance of employees, 43% of management respondents saw the pandemic as having a negative impact with just 7% seeing it as positive while 50% saw no change. This was reasonably consistent regardless of organisation size.

Management respondents were also asked what additional steps employers have been taking to monitor employees. 44% reported they have made no changes to employee monitoring regardless of the pandemic, however 52% use regular review meetings, 16% technology monitoring and 13% use measurable targets and KPIs.



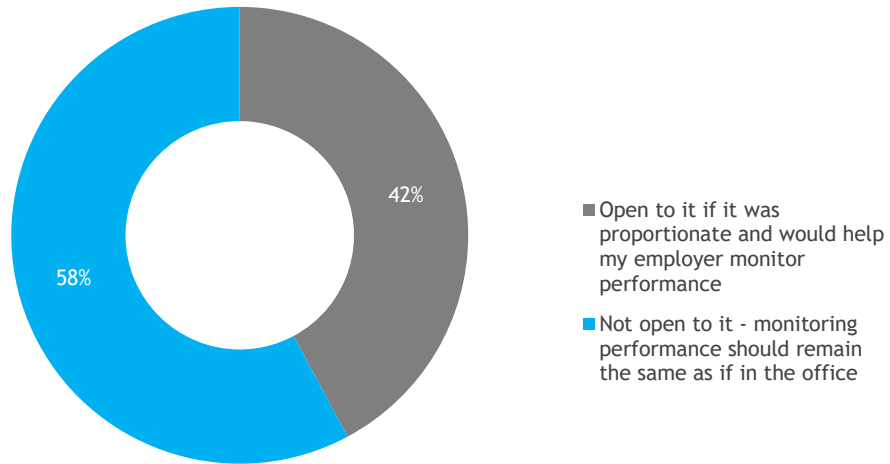
Larger organisations report they have been more proactive in employee monitoring with 78% of larger organisations using regular review meetings and four in ten using measurable targets/KPI. Only 30% of larger organisations have not made any changes to monitoring of employees.

Larger organisations are electing to manage and monitor their employees through meetings rather than electronically and this approach may make sense when thinking about attracting and retaining staff given that the Survey findings found that 58% of respondents overall are not open to electronic monitoring of performance whilst working remotely.



In respect of increased monitoring electronically, 58% of all respondents were not open to increased monitoring electronically. It is important to note when considering solicitor staff engagement, that a significant majority (74%) of more recently qualified solicitors are not open to additional monitoring through technology with 76% indicating that they would find this more stressful.

What are your views on increased monitoring electronically (computer/email) while working remotely?



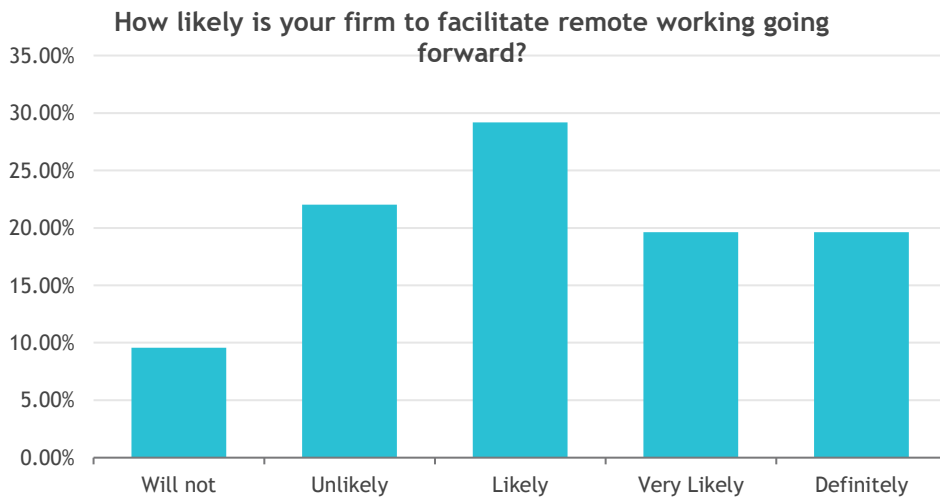
Employers willingness to facilitate remote working going forward

Overall, from an employer perspective managers are positive to remote working with 68% saying they are likely, very likely or definitely going to facilitate it. One in five organisations will definitely facilitate it.

“Employees prefer it as it eliminates commuting.” - Respondent

“It worked very well for us especially because our staff have children so if child sick or close contact they could continue to work from home” -

Common reasons for facilitating remote working range from the immediate pandemic health concerns and requirements through to the demonstrated success of the remote working model, organisational flexibility, and employee expectations.



One in three managers are unlikely or will not facilitate remote working with 10% of the overall number stating they will not facilitate remote working. For those who have indicated they will not facilitate remote working reasons include the need to meet clients, employee laissez-faire attitudes, the culture of the particular organisation and difficulty in managing work and employees.

“I trust the people I work with it and as long as they get their work done, they can work as flexibly as they like.” - Respondent

Impact on the employment market and analysis of some key practice areas

There is an interesting bias between large organisations being more open to flexible and remote working and smaller organisations less likely to adopt this going forward. It could be concluded that there is a potential for larger organisations to seek talent regardless of geography by facilitating remote working and potentially attracting talent at the expense of smaller organisations:

“We definitely will as staff want remote working” - Respondent

- No management respondents from larger organisations indicated that remote working would not be an option going forward.
- For medium sized organisations, there was a split with 55% indicating they will not or will be unlikely to facilitate remote working and 45% that indicating it would be likely or very likely. Many solicitors working in medium sized organisations have longer commutes with 22% having commutes of more than 60 minutes.
- For smaller organisations, 35% indicated that they will not, or will be unlikely to, facilitate remote working and surprisingly 65% indicated that this arrangement would be likely or definite. This may indicate that those in smaller organisations recognise the need to adapt to attract and retain talent.

This Survey also included analysis of particular key practice areas to determine what impact the availability of remote working or flexibility will potentially have on individual career decisions.

Conveyancing

Of those who indicated they were practising in conveyancing, only 26% of all respondents reported that they are working completely remotely since the outbreak of Covid-19. This may indicate that conveyancing practice will not be wholly compatible with a full remote working model. Nearly half of individuals practising in conveyancing confirmed that their employer has already advised them that remote/flexible working will be available in the future. It is notable that a significant majority (59%) of conveyancers indicated that the provision of flexible/remote working in the future will influence their future career decisions suggesting a possible increased solicitor staff turnover in organisations offering less flexibility post pandemic. Further developments like the development of e-conveyancing may also contribute to the development of work practices and increased flexible work opportunities for this important practice area.

Litigation

Just over a quarter (26%) of all respondents who indicated they were practising in litigation also reported that they are working completely remotely since the outbreak of Covid-19. This also indicates an area of practice that does not completely lend itself to a fully remote working model. 58% of litigators confirmed that their employer has already advised them that remote or flexible working will be available in the future indicating that, again, a significant proportion are already working within a hybrid model. Overall, 62% of litigation solicitors indicated that flexible or remote working will influence their career decisions. We believe it would be worthwhile performing further research on developments regarding remote courts and what impact this may have on remote or flexible working.

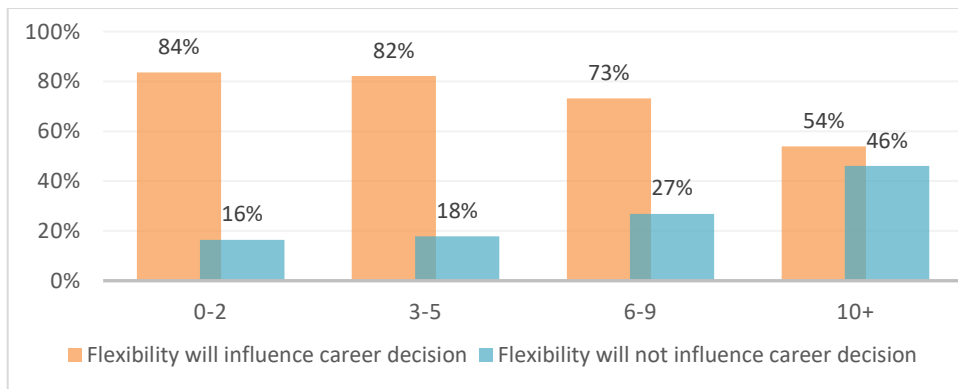
General Practice

90% of general practitioners (148 in total) who responded to the Survey came from smaller organisations and only 9% of respondents in this cohort reported that they were working completely remotely since the outbreak of Covid-19. A relatively low proportion (43%) confirmed that their employer had advised them that remote or flexible working will be available in the future. 40% of general practitioners indicated that the provision of remote working would influence their future career decisions and this result may be influenced by geography as practitioners living outside of Dublin may already live proximate to their office and commuting is less of an issue.

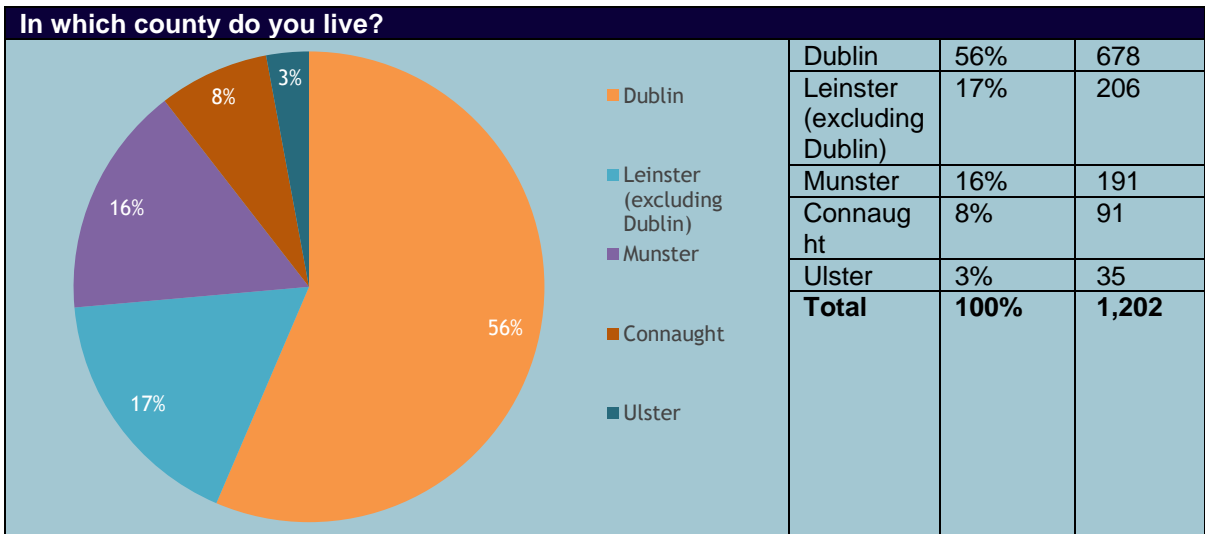
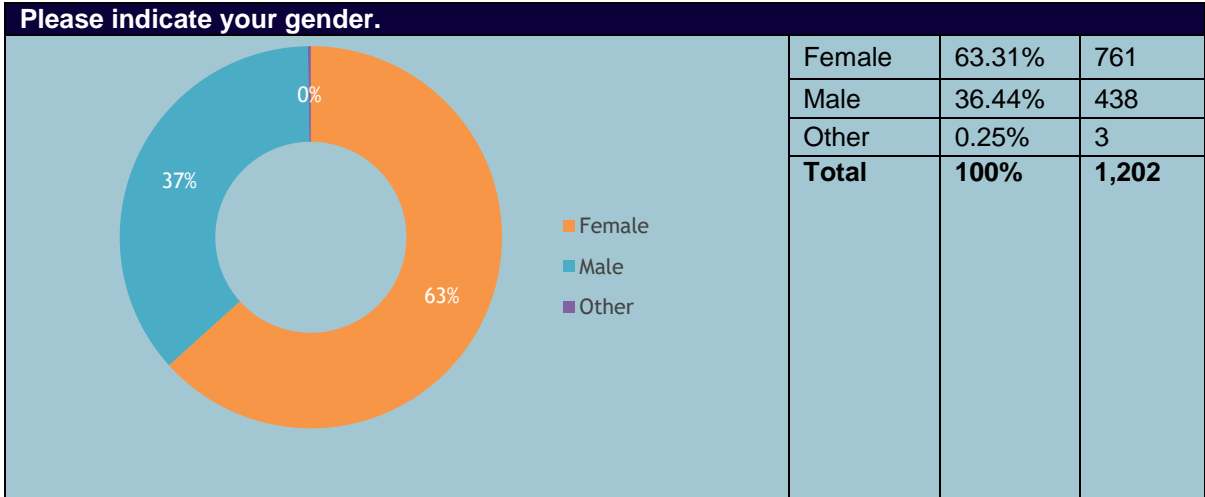
PQE effect on need for flexibility

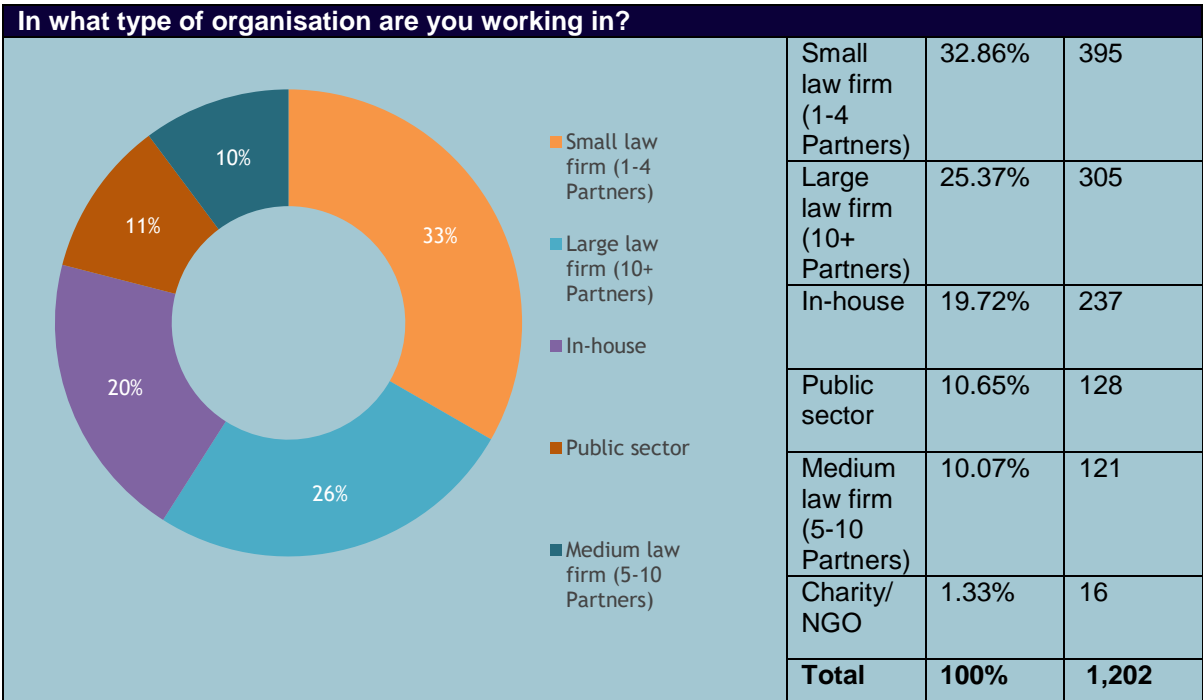
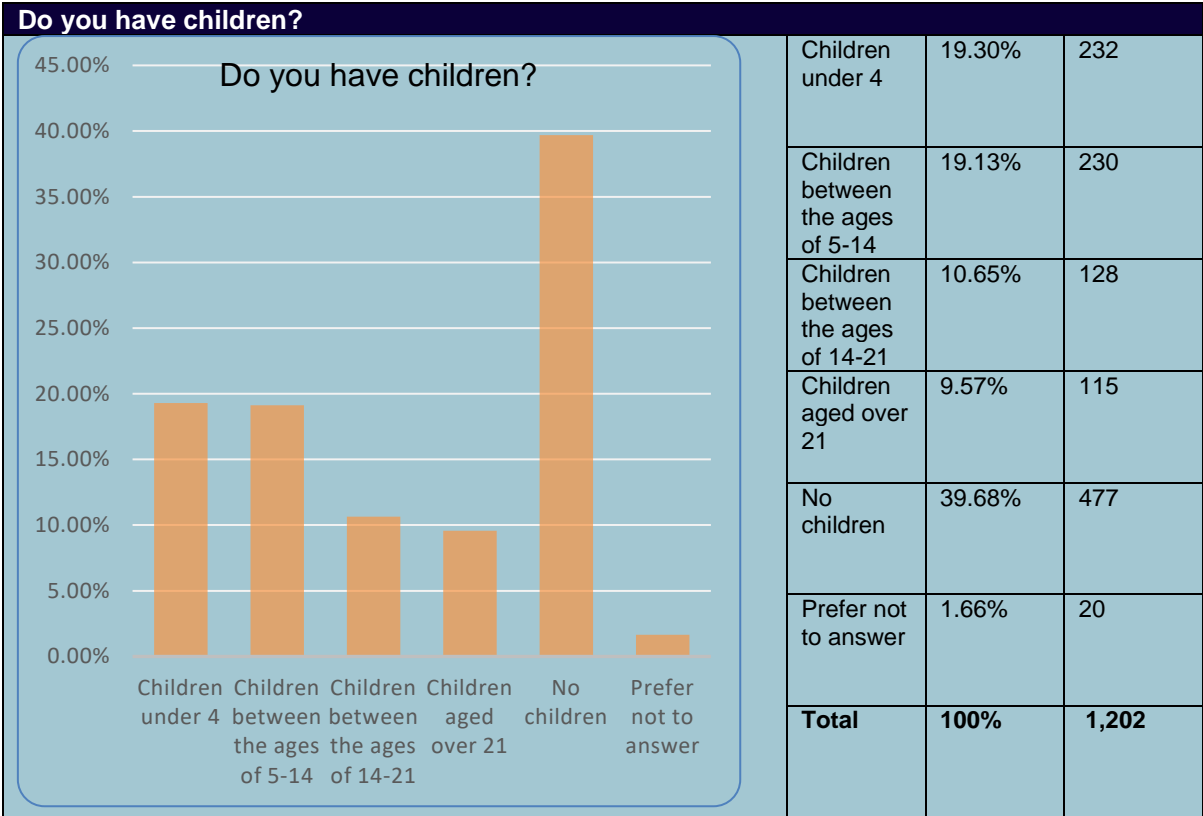
While the overall numbers reveal that flexibility is a critical component of workplace planning, there are cohorts of solicitors who value a predominantly office-based situation or who will not consider flexibility and remote working as part of their career decision criteria. The table below demonstrates the key point that less qualified solicitors are more likely to expect greater flexibility in work arrangements, when reviewing their career and potential opportunities.

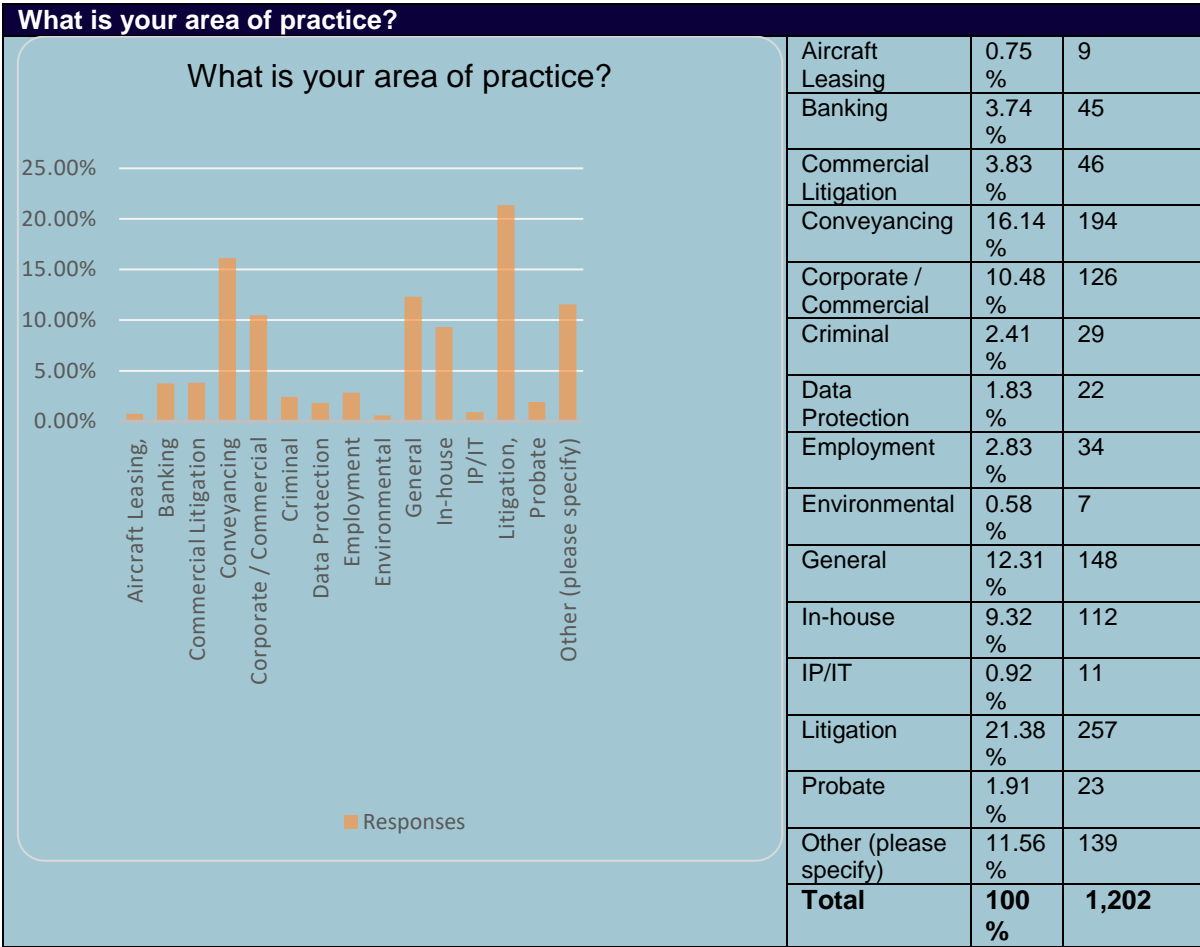
Respondents who are 10+ years qualified may already have flexibility, live proximate to their place of work or have fewer childcare commitments compared to those who are less qualified. They may also be at more senior levels or have partnership/ownership/equity and have developed work modality to fit with the requirements of these positions including supervisory and management responsibilities.

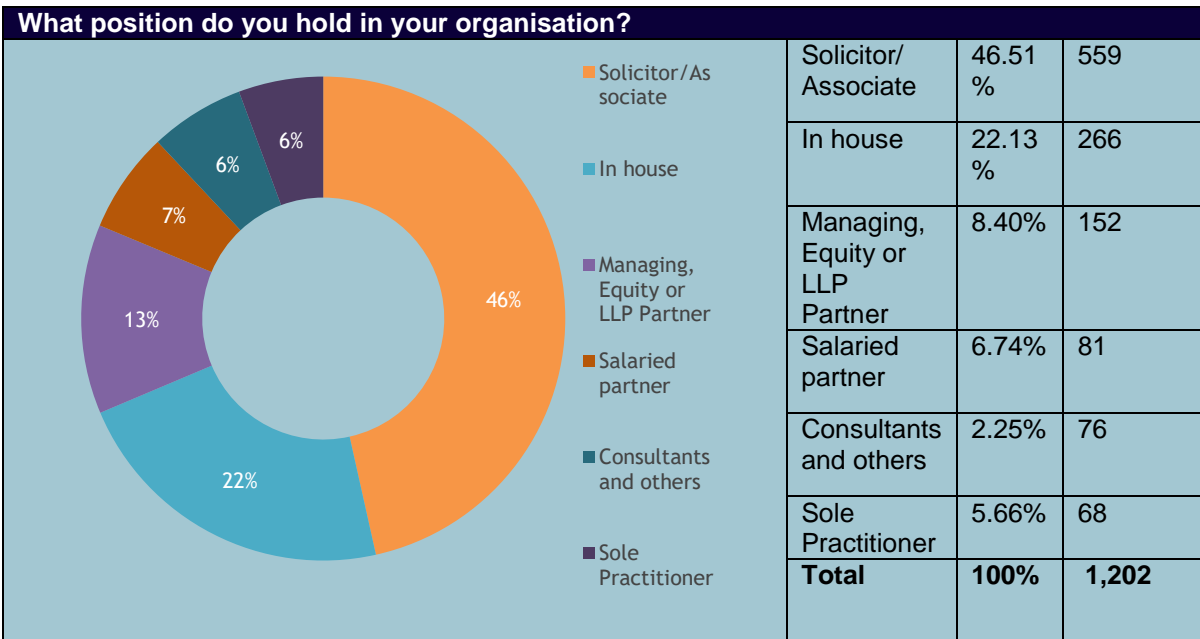


Appendix - Respondent Population











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Alexandra House, 3 Ballsbridge Park, Ballsbridge, Dublin , D04 C7H2, Ireland
+353 1 500 6500 f. +353 1 500 6501

t.

Paramount Court, Corrig Road, Sandyford Business Park, Dublin, D18 R9C7, Ireland
1 495 9200 · f.+353 1 495 9201

t.+353

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Blackhall Place
Dublin 7

t +353 1 672 4800

f +353 1 672 4801

e general@lawsociety.ie

w www.lawsociety.ie

