

Communication & Collaboration

Effective collaboration and communication for your in-house function



Introduction

Effective communication and collaboration are key to supporting the evolving role of the in-house function, from being perceived as a cost centre and risk manager to that of a strategic business partner and enabler.

Strategic business partnering requires an understanding of the organisation's strategic goals, a degree of business and financial acumen and the ability to foster relationships of trust, bringing multiple stakeholders together (often with competing priorities), to build consensus. Collaborating across functional areas enables lawyers to see the big picture and develop the skills, knowledge and confidence to tackle increasingly complex legal and business problems.

Following the COVID-19 pandemic, with the absence of in-person communication across desks or over coffee, the need for fostering a collaborative culture and ensuring effective communication has never been more important. Global events have forced us all to adopt new ways of working, shining a light on things that were previously taken for granted or viewed as nice-to-haves. The adoption and use of technology tools (even by the most resistant of lawyers), has been accelerated to address these challenges, however what is often missing is the governance, processes and frameworks which should underpin the use of such tools.

Many in house teams also experience a disconnect between the reality of their role and the value they bring to the business, and what the business understands and expects from them. It can be difficult to know how to bridge this gap in order to build stronger, more transparent relationships with business stakeholders and other support functions.

To do this, GCs and legal teams require a plan.

Start with a framework

Communication is a core skill for any lawyer. It supports the development of positive relationships across the business and is critical to the delivery of legal services. Despite this, only around 54% of in-house functions report that they create and drive positive relationships with other support functions such as finance and HR at least moderately well.¹ This presents a challenge but also an opportunity which can be addressed through a structured and thoughtful communication and collaboration strategy and framework.

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A collaboration framework should document and guide communication activities and processes to achieve effective collaboration within the legal team, across the business and with external stakeholders. Essentially, it should answer the following questions:

- Who do you need to engage with?
- When and how frequently should you communicate with them?
- What do you want to communicate and why?
- How are you going to communicate with them and through what channels?
- What tools may be useful in facilitating the collaboration?

Lastly, you should consider whether your answers to the above are aligned to your stakeholder value map.

Whilst the legal function is highly valued, its disconnection from other integrated teams makes its contribution less visible. However, technology offers in-house functions the opportunity to integrate legal processes with other business functions, paving the way to becoming a strategic business partner.

¹ Xakia, Legal Operations Health Check (benchmarking survey and practical tips)

Stakeholder value mapping

Understanding your stakeholders and their needs is the key to not only unlocking and delivering actual value to them but also to shape the perception of the value you provide.

This exercise can assist you in exploring which modes of communication and by extension, which service delivery model is most appropriate for each stakeholder group. For example, self-service options might be suitable stakeholders seeking speed and efficiency but are less likely to be embraced by senior executives who value relationship driven engagement.

There are a few simple steps you can start with when planning a stakeholder value mapping exercise:

1

Identify and prioritise your stakeholders

Whilst some stakeholders may be more key than others, you should broadly consider which groups or individuals are likely to be impacted by or who may have an impact on the legal services you provide. Of course, with such a broad scope it is almost impossible to spread your attention across all stakeholder groups equally, so it is important you prioritise these stakeholders to ensure your time is well spent on nurturing the relationships that are most important to your department at any point in time. Be strategic in your approach – don't forget to identify potential blockers and address their needs to clear the path to success.

2

Understand what they need from the legal department

Most in-house functions have their work interrupted at least 70% of the time by 'urgent' issues.² It is important to take a step back and reflect on what 'urgent' means for your business and this relies on working with business stakeholders to identify where their requests fall in a continuum of needs and where the legal team's resources are best spent.

3

Map and score the values of each stakeholder group

Now that you have a better understanding of your stakeholders needs and expectations, it is important to develop a value-based scoring system that will enable you to match your stakeholder engagement approach to those needs and expectations. There is no one size fits all, and neither are your stakeholder values static. They should therefore be reviewed on a regular basis to ensure continued relevance.

4

Use the results to inform your engagement framework

Use the results from steps 1 to 3, to inform your engagement framework.

Communication and collaboration within your legal function

In-house legal teams operate more effectively when they can call upon the team's collective knowledge, skills and expertise. In fact, knowledge sharing, and collaboration has never been technically easier thanks to the advances in digital communication tools, but these only form part of the picture. Creating a culture of collaboration and knowledge sharing is just as important, if not more so, than selecting the right tool. Instilling this collaborative culture in your legal department mitigates the risk of silos, enables a free flow of information and increases the retention of institutional knowledge, ultimately leading to better business outcomes.

Not only is there a direct benefit to the business, but it also leads to improved job satisfaction and professional development. The good news is that 76% of in-house functions have a means by which they regularly share information across the team³, however, this is not always formalised and documented but could be addressed in your collaboration framework.

Communication also plays an integral part in ensuring your legal department is united in its purpose, values and direction. Your team needs to understand what the overarching role of the legal function is and how it – and by extension each member thereof - contributes to the organisation's overall success. This should be supported by a set of values, expectations and agreed standards for behaviours which are clearly communicated at on-boarding stage but also on a regular basis thereafter.

Communication as an essential component of effective change management

Change in business is inevitable, and the in-house legal function is no exception, particularly with the race to keep pace with new technologies, ways of working and the increased focus on legal operations. Yet, when delivering transformation projects the focus tends to be on the 'operational doing' and achieving the end goal rather than considering how impacted employees will respond to the change. Not only is it important to build consensus at the outset by clearly communicating the need for the change and how it will benefit stakeholders, but you should bear in mind that an improved future state is not always enough to overcome inherent resistance to change. You should therefore also consider whether the current pain points outweigh the anticipated pain of the change process.

In-house teams generally have limited experience managing change, with only 18% incorporating clear communication plans into their change management processes.⁴ It comes as no surprise therefore that the failure of change management initiatives can often be attributed to lack of or ineffective communication. Conversely, communicating the right message, at the right time, in the right manner and to the right stakeholders, can increase your chances of success.

“*An improved future state is not always enough to overcome inherent resistance to change*”

The question is: 'how'?

In addition to **creating a shared sense of urgency**, a good place to start is to **appoint change agents and sponsors** to drive change initiative with clearly communicated roles and responsibilities. Consider both top down and bottom-up approaches to communicating and engaging with stakeholders – i.e., through peer groups and management.

³ Xakia, Legal Operations Health Check (benchmarking survey and practical tips)

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In practice, we often see the opposite occur, with corporate communication strategies built around the top-down dissemination of information and careful control over the messaging. Whilst this may be perceived to be less risky, when employees are faced with this approach only 23% reported feeling well informed, and less than 19% felt listened to.⁵ This approach has various limitations. Most obvious is that it is one-directional and does not encourage dialogue with those affected by the change. Don't confuse the sending of a message, or indeed even the receipt thereof by your target audience, with having established a consensus or shared understanding. This approach also assumes everyone is equally affected by the change and therefore overlooks the importance of tailoring your message to your audience. Instilling **empathy** in your change management approach enables you to identify and better support those individuals most affected by the change. Creating an environment in which all stakeholders can openly communicate and participate in the narrative around change only further increases adoption.

A question frequently asked is what is 'too much' or 'too little' when it comes to communication. More specifically, you should consider the **effective frequency** of your communication i.e.: the number of times you need to communicate something before it is acted upon. Whilst there is a balance to be struck, you probably need to be communicating more frequently than you think (even if it feels uncomfortable or repetitive). **Repetition can be a powerful tool in your communication toolbox** – not only when embarking on an initiative, but throughout. Priorities can shift and enthusiasm can diminish so don't assume stakeholders who were on board initially, will remain so. Maintain momentum and build on successes by communicating and celebrating small milestones along the way and be sure to reinforce the message even after the change has been implemented, to ensure it is fully embedded.

Not only is the frequency and cadence of the communication important, but the channel equally so. Different modes of communication will suit different audiences and purposes. Aim to build in an appropriate mix into your change management plan to ensure maximum effectiveness.

Food for thought

Communication is a central part of our daily lives. It takes a lot of time and practice to get right, yet we often find ourselves overlooking the importance of developing it as a skill. Take the time to take stock of your current approach, learn from your colleagues and their different communication styles and embrace different modes of communication tailored to your audience – and you will reap the benefits!

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Stéphanie, Head of Legal Operations Consulting, was previously at Barclays where she headed up what would become the Legal operations team for over three years. Under her leadership the department won "Legal operations team of the year" at the 2019 UK Legal 500 Awards. When transforming your in-house legal function, Stéphanie is ideally placed to advise on improving the management of your legal department.



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