

Briefing

SMARTER LEGAL BUSINESS MANAGEMENT

TRANSFORMATION
AT WORK

What are law firm leaders' visions and plans for thriving in a legal business landscape after lockdown?



CTS 



Only a select few
understand the
technology needs
of law firms.

We employ most of them.

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EXECUTIVE SUMMARY

Having established homeworking-as-normal for the vast majority of teams, the question facing law firms now – as in many other business sectors – is whether and how a ‘traditional’ office life will return.

Many firms have undertaken surveys of employee preferences. These appear largely to have found that, although people had no choice in the matter, and in some clearly difficult circumstances, working from home has worked well. People were able to be productive in their roles out of the office for a considerable period of time. They would like that experience to mean they can retain a level of flexibility going forward. Speaking to C-suite leaders at a broad spectrum of firms for our research here, a figure of as much as 50% of time spent working away from the office in 2021 does not seem beyond the realms of possibility.

Firms are emphasising giving people choice, however – and that means the office as a concept for convening fairly regularly needs to remain. The leaders interviewed here say that, although they have put together groups tasked with ‘reimagining’ how things could work, and reviewing space requirements is a business-as-usual process, they aren’t making big strategic shifts to shore up profitability today. Teams aren’t being told to work from home full-time for the rest of the year or beyond. The office network is not being dramatically downsized. Another big wave of offshoring or nearshoring certain functions or shared services is not yet anticipated as recession looms. Some IT investment priorities have shifted along the track. However, although some firms are pursuing intense automation (note, this is a continuation of direction rather than something driven by Covid-19), leaders by and large emphasise the ‘softer’ side of helping people to kit out their home workspaces and support the oversight and management of dispersed teams. A workplace that sees significantly less ‘presenteeism’ may require new behaviours and skills in those charged with achieving team outcomes. Existing collaboration and management software, however, is seen as fit-for-purpose for work and information processing in an increasingly remote-working world.

One technology project that emerges as a clear frontrunner for continuation, if priorities were up for review faced with a tighter budget, is movement of more systems to the cloud. Judging by responses in this research, the case has been made that cloud hosting enables firms to be more agile in terms of their growth strategies, while controlling cost and without compromising levels of security.

Finally, if it indeed comes to pass that people have more choice and control over where they can work, one of the biggest opportunities that law firms now see on the horizon is a potentially wider and more engaged talent pool. The workplace of the future, whether physical or virtual, will need to be one that works for the people you want to attract and retain. ▴

BRIEFING PEOPLE



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PARTNER
COMMENT

As the lyrics to a Moloko song once said, “The time is now.” Whether we consider organisational change, technology change or future opportunities, there is a convergence of appetite, open-mindedness, a willingness and acceptance to embrace new ideas and change personal behaviours – and to scrap, adapt or add new working practices among legal folk. The time is now.

Why? Because doubters have become believers. Sceptics have become advocates. And the hard truth about clients’ changing demands and expectations (based on their own new realities) must be heard and need a response. The time is now.

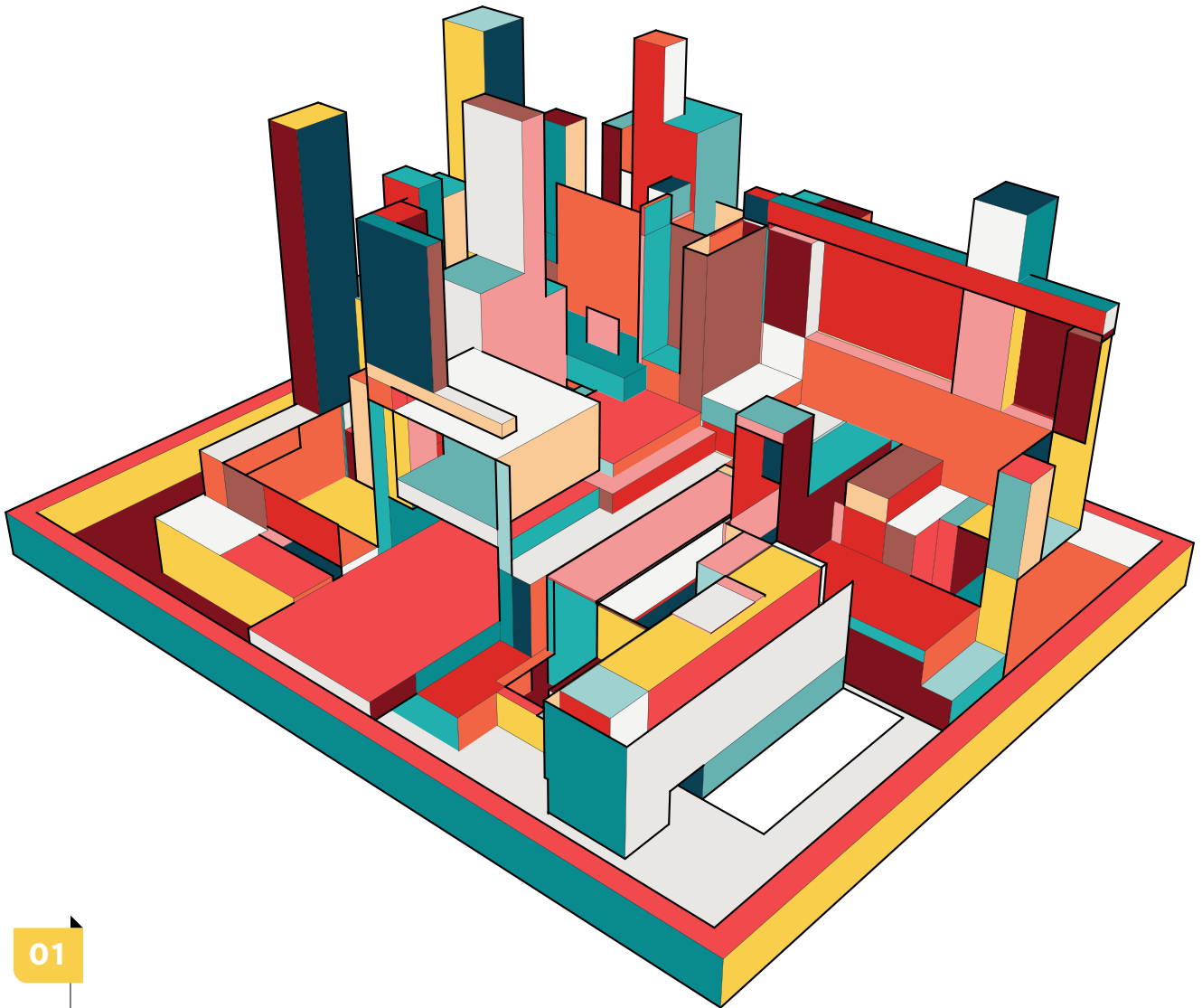
If any of us delay embracing this new world, we will be left behind. We’ll ultimately fade. This is not just about survival, albeit that is key for some right now. It’s about a fantastic opportunity to do all the things that ICT teams and business leaders have wanted to do for some time, but which have been resisted with inertia, practice conservatism and habit. The door is not only now open, there is even a welcome sign to come in placed there by some unusual playmates and erstwhile blockers.

We can advance quickly. We can use the tide of current goodwill extended from lawyers to their IT teams, and convert that into positive momentum for further change, and not just for homeworking and flexibility with our clients. We can ensure that legal and law firms finally catch up with most other modern industries and services, and embrace the 21st century.

The time is now ... ▴

“Doubters have become believers. Sceptics have become advocates. The hard truth about clients’ changing demands and expectations must be heard.”

David Fazakerley, in-house legal CIO, CTS



01

Keeping the change?

From budgeting to technology projects, organisational process to premises, to what extent are law firms gearing themselves up for significant operational transformation? Richard Brent speaks to eight C-suite business leaders across core functions about strategic considerations and plans after three months of lockdown

Research and words
Richard Brent, editor-in-chief, Burlington Media Group

As law firms slowly begin to allow their people back into city office spaces – with a range of arrangements and combinations on offer – one of the biggest questions at time of writing is how the standard legal business operational and working model might change in the mid- to long-term. No few very recent surveys have indicated that employees would prefer to keep at least some of the homeworking days they have simply had to adjust to in an unpredictable crisis situation –



“We’d like to give people as much choice as possible. We will try to shape our business around that. We’ve run our own survey and concluded there are as many as 10 or 15 different categories of people with different desires, requirements and circumstances to consider.”

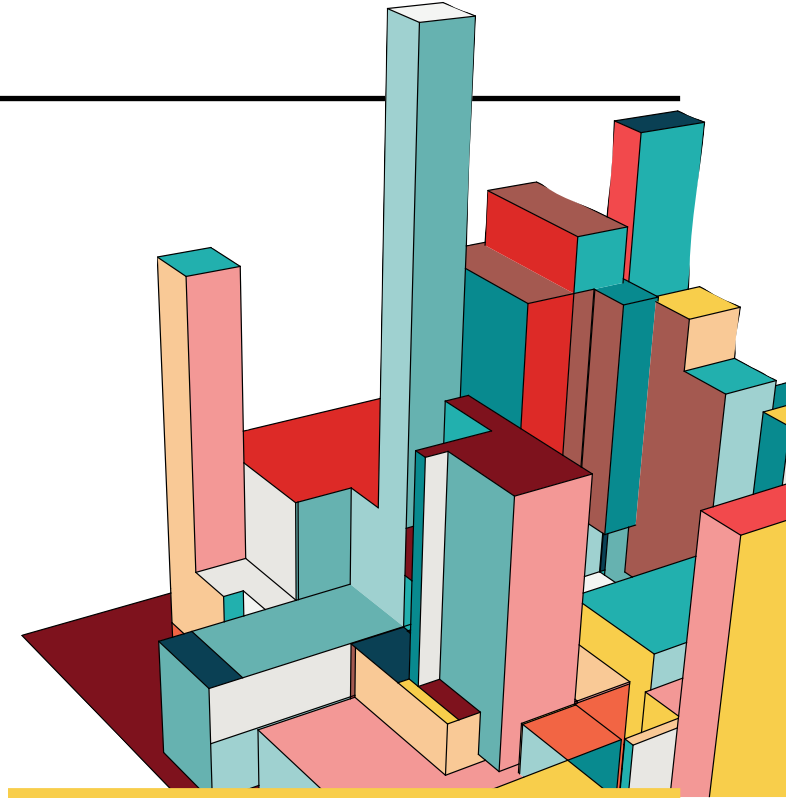
Ed Whittington, managing partner, Moore Barlow

and now that the productivity-at-home case has been tested for several months, it will be harder to argue certain roles simply must be present in an office for business to continue to run smoothly. At the more radical end of the change spectrum, there is of course even some debate surrounding a shorter working week at a time when other businesses might well benefit from any extra time for spending. And in the case of legal business at least, it will inevitably also have to consider how the client base would prefer to work in future.

For Ed Whittington, managing partner of Moore Barlow, the most likely outcome of lockdown is significantly greater choice for people about where they work – something that also happens to sit

well with his firm’s general ethos, he says. “Some people prefer the office environment, even if they also have a home office. However, this has served to demonstrate to those who’ve been sceptical about agile working, that scepticism was misplaced. And true to our people-based purpose, we’d like to give people as much choice as possible. We will try to shape our business around that.” That’s quite a complicated operation in itself, he says, and by no means a binary: “We’ve run our own survey and concluded there are as many as 10 or 15 different categories of people with different desires, requirements and circumstances to consider.”

Emma Dowden, chief operating officer at Burges Salmon, also makes this last point. “We talk about having needed that ‘burning platform’ for change – which hasn’t been as clear in the legal industry as in some others until now – but it’s important to recognise that people are going on different journeys,” she says. “We’re all grappling with the same fundamental problem, but individual experiences have been very different” – for example, depending on factors like geography as well as family or lifestyle. After the essentials of facilitating the move to homeworking, Burges Salmon has now set up a new scenario-planning group with five workstreams, Dowden says – labelled “resolve, resilience, return, reform and re-imagination.” Alongside all the practicalities and health implications of any potential organisational



changes, these groups will also discuss whether there's opportunity for the firm to become even more environmentally sustainable in future. "You don't want everyone so eager to get back to life as it was that they automatically hurry back to every old habit. But for change to be effective, it needs to be carefully considered and planned," she says.

Whittington at Moore Barlow continues: "It's inevitable we'll also be analysing how we use our space, and whether we need as much of it." And of course, he says, there are certain other efficiencies to explore, "as people working from home are likely to become more self-sufficient. I do believe the future of law will involve ever-increasing tech-based delivery of service."

Tim Bond, IT director at Memery Crystal, is of similar mind: "If a lawyer doesn't have that sight of someone else, it can be easier to complete certain tasks such as drafting letters or initial document preparation for yourself." And he agrees there's an efficiency switch worth exploring there. "Also, it's simply not possible to have the classic law firm paper chain at the moment – the process inefficiencies have become quite apparent, whereas in the past well-paid partners probably haven't been all that interested in these sorts of marginal gains."

Chris Stanton, chief financial officer at Shoosmiths, echoes Whittington's earlier point about opening up choice in future. "It ties to the employee proposition. There are a whole range of needs, and we need to make ourselves attractive as a place-of-work for all generations. But I think it's more about mindset than implementing policy. This has demonstrated that you just don't need to

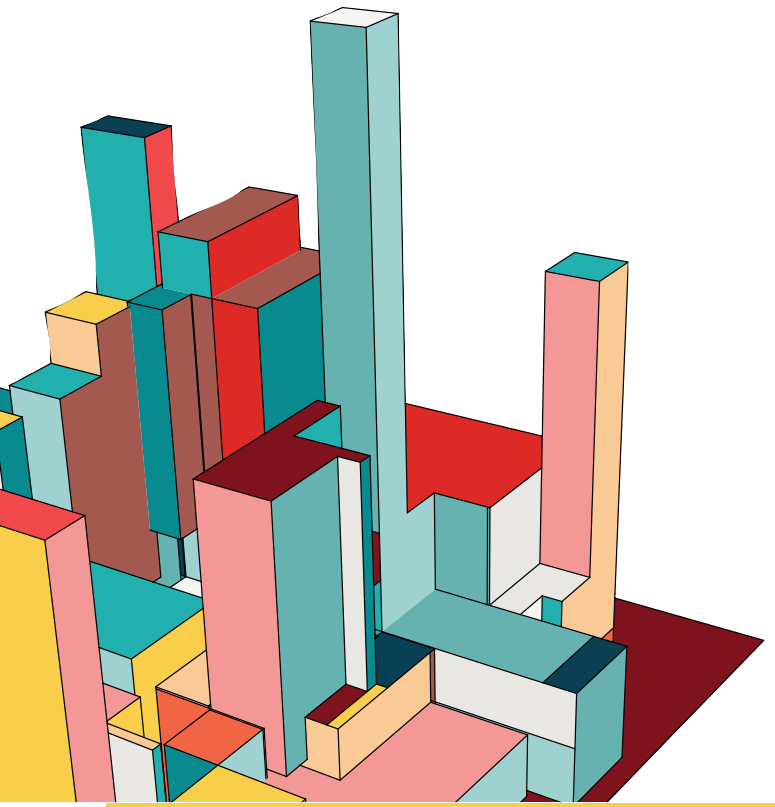
"It's simply not possible to have the classic law firm paper chain at the moment – the process inefficiencies have become quite apparent, whereas in the past well-paid partners probably haven't been all that interested in these sorts of marginal gains."

Tim Bond, IT director, Memery Crystal

have immediate line of sight over people all the time."

However, for Shoosmiths he says such acceptance of change is unlikely to involve any fundamental difference in operating model, office network or overarching strategy. "We're not expecting that. Will we have to stay agile to execute well over the next 10 months to a year? Yes, we certainly will, and that continues down a path we were already on. But our overall strategy centres on some things that are longer-term."

Another chief financial officer, Steven Rowan at RPC, also says significant strategic changes are unlikely immediately in response to this situation, where much about the pandemic's progress still remains unclear (note, his is one of a number of firms that have found themselves busier than usual in lockdown): "It has given us all an opportunity to rethink how we could work longer-term, and we're still thinking through that – I'd say you can't make



“It’s completely business-as-usual to review space requirements alongside growth plans and employee numbers – but most of our teams have worked remotely to an extent before now, and in future they may just do so more regularly.”

Steven Rowan, chief financial officer, RPC

snap decisions about things like that.” An RPC employee survey – a consultative approach to change that we can see many firms are clearly following – was still being analysed at the time of writing.

Rowan continues: “Of course, it’s completely business-as-usual to review space requirements alongside growth plans and employee numbers – but most of our teams have worked remotely to an extent before now, and in future they may just do so more regularly.” He says there’s also likely to be the same consideration as pre-Covid as to whether different business functions or roles may need some different physical arrangements, dictated by the task at hand. “For myself, I have

taken the view that managers need to be seen to be managing, so while you can of course be agile, you can’t necessarily be away all of the time.”

Adrian Biles, the CEO of Ince, agrees with Stanton that professional ‘presenteeism’ at least could be on the way out – and that’s no bad thing. “Our surveys indicate that people believe they’re at least as productive at home, and they don’t expect to come back to the office five days a week. And our key performance indicators centre on hours recorded and client service delivered, rather than visibility, either physically or electronically,” he adds. On the other hand, Ince’s offices could currently accommodate everyone who has expressed a wish to return, he says – with appropriate social-distancing – and there’s no immediate plan for that to change. “Do we really need all of that space to provide what we need to for clients?” That’s another question. “In common with many, we’re looking at our physical footprint.”

Anthony Hughes, chief operating officer at Simpson Millar, says that working on the assumption the firm’s people could well work remotely for around 50% of their time in future, the pandemic has reinforced an earlier decision not to continue with a few long leases in favour of some serviced offices. The firm will now ask lawyers to test holding client meetings in some ad hoc venues with such meeting facilities, rather than travelling to the central London office

(consolidated down from two). In order to secure a spot here in the weeks ahead the firm is launching a new desk-booking app – although those who find it harder to work comfortably at home owing to their circumstances will be considered something of a “priority” next to those with a room at home that already functions well as an office. Memery Crystal is also operating a desk-booking system for a suitably socially-distanced number of desks, available to all. “What will happen when a trainee remembers to book the desk an equity partner suddenly wants at the last-minute? That’s a cultural question, and I’d say you have to respect the person and the process,” says Bond.

Hughes continues: “One very significant operational change for us is that we’re creating a single central location where all our mail will arrive in future – to be distributed electronically, and so

reduce storage requirements in the more outlying offices.”

Like Shoosmiths, other firms are not generally considering shifting entire teams to any new locations or compulsory homeworking arrangements – Ince included, which has ‘nearshored’ its administrative function in South Wales, with setup support from the Welsh government, for some time. Biles says: “We’ve always thought that for a London law firm to fulfil its administrative function in London cuts into profitability.”

Andrew Taylor, chief technology officer at O’Neill Patient Solicitors, also cites 50% of time as quite a likely benchmark for future homeworking, however – and indeed 50% of ONP’s people have responded to its own survey that they’d like to work from home on a permanent basis now. ▴

PARTNER COMMENT

Over the past several months, the legal sector has faced a number of challenges, but also opportunities. The thrust into homeworking and the journey back out of it has shone a light on different models of flexible working. Different models suit different people and different legal operations, and there are many aspects to consider.

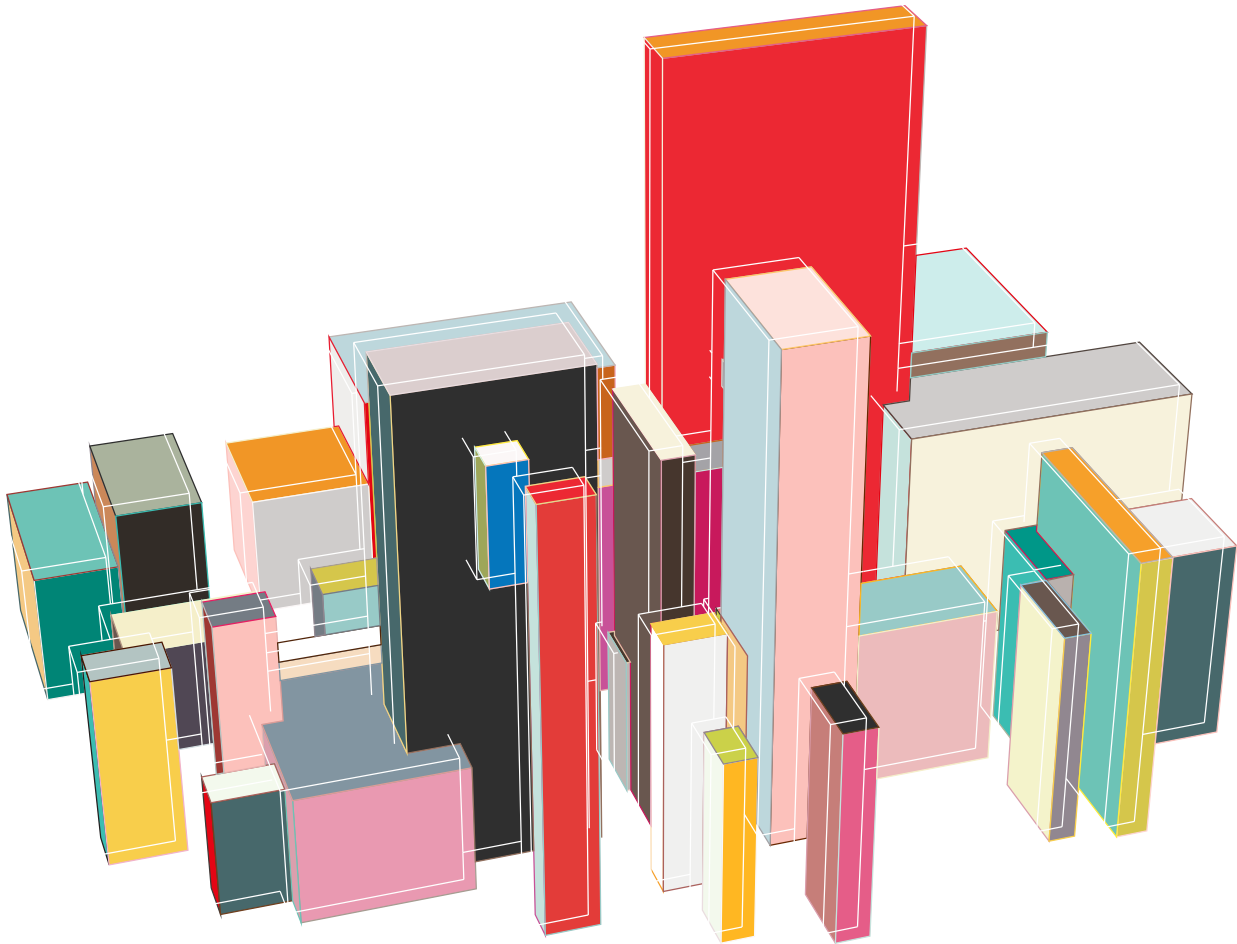
Ensuring equality of practice and opportunity for all staff is vital to adopting a model that benefits the firm, its workforce and client base. Client expectations have also changed dramatically, as interaction with law firms has become almost completely digitised with use of client portals and dedicated online environments. Those who’ve invested in technology are the ones winning the race and exceeding expectations, and those who haven’t embraced digital online working must make proactive decisions now so they don’t render themselves obsolete.

We have seen firms closing offices as productivity levels are proven maintained – or perhaps even improved – with remote working. But is that to say office space is not needed at all? Will clients continue to be satisfied by virtual meetings, or will the personal, face-to-face approach be desired again as social-distancing measures are relaxed? Certainly, printing, filing and mailing costs have been slashed, not to mention saving individuals an inordinate amount of time transacting physical files. Many firms had already been gravitating towards a paperless office, while others now simply had no choice in the matter, but surely this is the time to make that change permanent. The worst thing that we can do is to ignore opportunities and revert back to old habits. ▴



“Those who haven’t embraced digital online working must make proactive decisions now so they don’t render themselves obsolete.”

David Fazakerley, in-house legal CIO, CTS



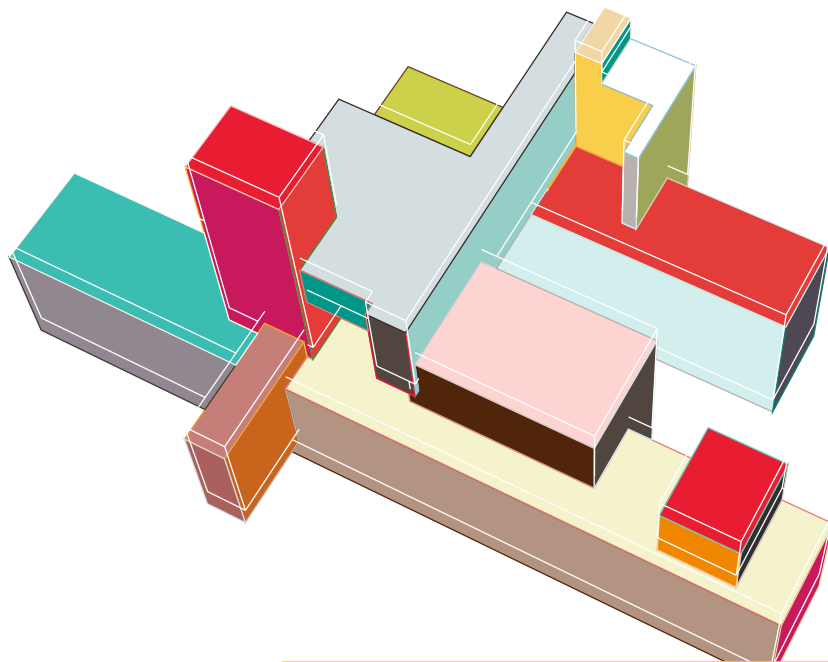
02

Powers to prioritise

More Barlow is the result of a merger that went ahead during lockdown in May 2020, so investment in a considerable transformation programme in terms of technology was underway in any case, says Ed Whittington. “There are no fundamental changes in our technology choices, but I do see some savings from premises potentially being invested in people’s home environments in future, such as printers, or other simple additions.” He says it would even be appropriate to do some form of audit of people’s

individual homeworking needs.

Anthony Hughes at Simpson Millar also highlights such facilities improvements as the most significant IT changes that could be required – whether it’s extra screens, a simple keyboard or mouse, or a chair better configured for a day’s work. There’s a question about whether these would be loaned, or could be managed in a form of salary-sacrifice package. Rowan says RPC provided some financial assistance to help people to buy some basic items like this for themselves during



lockdown.

Chris Stanton at Shoosmiths says some new technology may be required, but his own top area for investment right now would be management training. “Some people will be very good at supervising, managing and supporting teams no longer in physical proximity, but some less so – you can’t assume everyone has that skillset, so should invest time and resource in it.” Interestingly, Adrian Biles suggests that Ince’s clear division between executive management and partner responsibilities as part of its structure has been especially beneficial in handling the business transformation thus far into the pandemic.

Stanton adds: “Many projects in train before Covid-19 are now coming down the track, such as continued paper reduction to an extent, and we’re trying to make processes as slick as possible for clients, as well as internally.” Just one example of this is a portal with functionality that can be adapted to how clients want to use it, “enabling them to manage their own workloads more effectively in this environment,” he says. He anticipates further innovation across the market in the collaboration space: “Law firms are probably at around a 2.0, but we could now see acceleration of development to a 3 or 4 if many people are working while less visibly connected to their wider teams.”

Andrew Taylor at O’Neill Patient admits it’s somewhat fortuitous that several big IT projects were prioritised at the firm at just the right time pre-Covid – including a mobile app for client communications and ID checking, digital scanning for a paperless office and robotic process automation.

“We automate as much as possible to enable systems to manage the process in any case – if we can replace a human task, while maintaining the quality, then we will do that.”

Andrew Taylor, chief technology officer, O’Neill Patient Solicitors

“We automate as much as possible to enable systems to manage the process in any case – if we can replace a human task, while maintaining the quality, then we will do that. We’ve also migrated everything to a cloud provider, which enabled us to switch from around 20 to 600 homeworkers in the space of a week, and we benefit from its extra performance and the ability to add more on demand. It enables us to provide the expertise, but an even better service and much quicker turnaround times.

“And the less the requirement for an internal IT team to manage something physically, the better, in the current environment.”

Steve Rowan at RPC says: “If you didn’t have the technology to enable remote working before, you probably do have it now. We were fortunate to have a very strong IT department, and the process of upgrading and moving things to the cloud is continuing on the course it has been. It isn’t a point connected to the pandemic, he says, but “information security continues to be absolutely key” in its IT decision-making.

He adds that his role is to encourage investment in business projects such as new systems and solutions, but also to work with his co-directors to prioritise spend from limited resources. “We tend to look at a three-year timeline, and projects can be bumped along it, which we agree as a group of directors. At the moment process-automation type projects and cloud are a bit higher on the list.”

Dowden at Burges Salmon adds: “Of course, we’re making sure that we’re being prudent from a budgetary perspective, but that doesn’t mean that you should stop all investment. Some projects have been deferred – in part also as resources are tied up in some aspects of our crisis response – but we’re continuing the move of our IT infrastructure to the cloud, which we’re part way through. That will deliver all sorts of benefits down the line, so it’s appropriate to continue – and there’s also a cost to stopping of course. It provides a very secure platform, which we can see is now also acceptable to clients, and it enables IT to be more

agile going forward, as well as having synergy with collaboration tools.”

At Moore Barlow, the merger situation means the firm has a hosting-hybrid of cloud and on premises. “I do think the direction is to the cloud,” says Whittington. “It’s a complex area, but our plan is to grow, and we’d like to ensure we can bolt others in seamlessly if the opportunity arises. The big advantage of the cloud is its consumption model, with a smoother spread of payments.”

Stanton agrees: “We have some systems in the cloud already, and further assessment of it is one of our work streams. It feels like it is the direction of travel for the greater flexibility.” Biles at Ince adds: “Having your own servers in the office today is a bit like having your own telephone switchboard – those days are certainly going, if not gone. And Bond at Memery Crystal says: “We aren’t reliant on being in the office to do anything – we have our infrastructure managed as a service, and whatever we do, we want to have the cloud option.”

PARTNER COMMENT

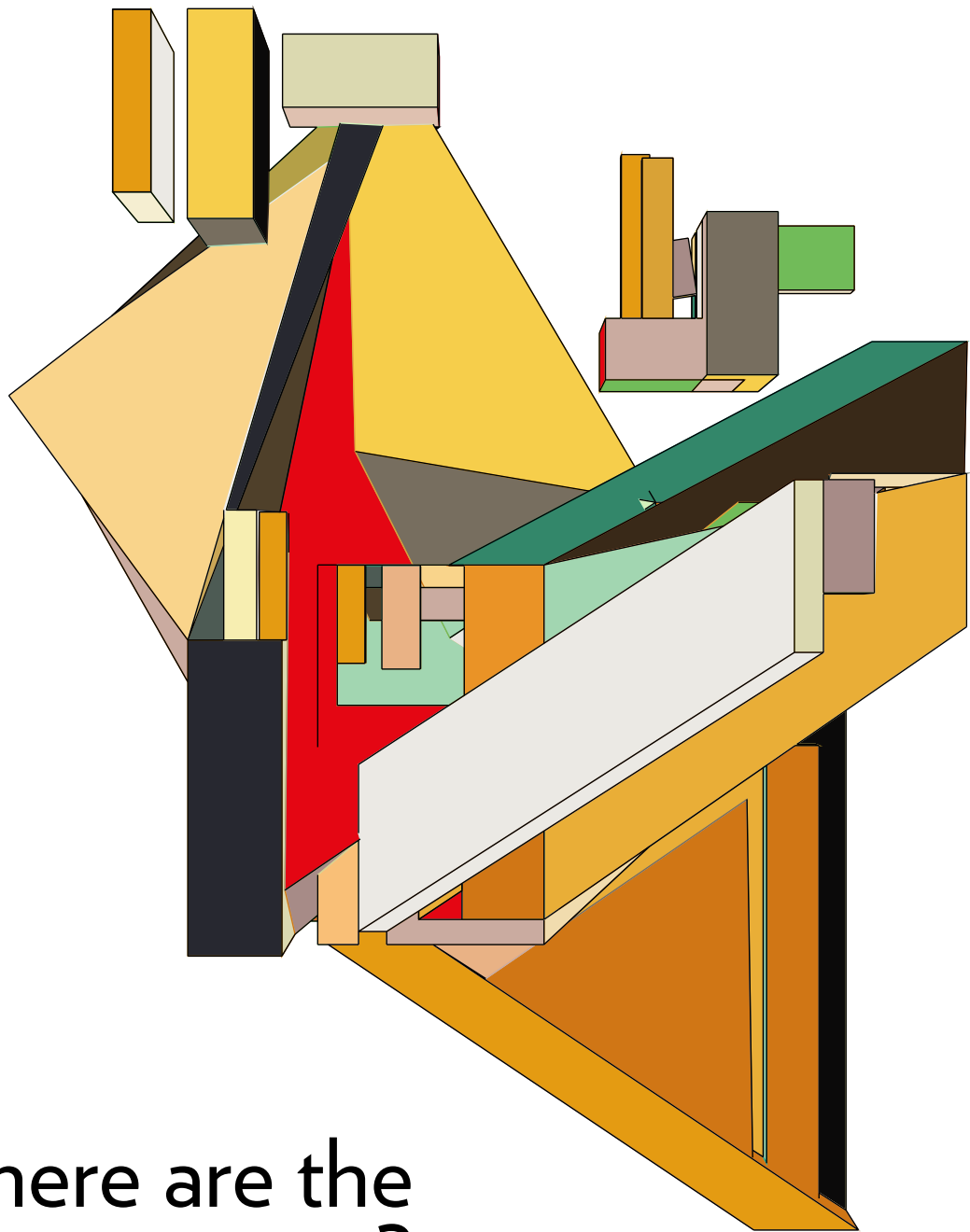
Those embracing technology are winning the race – a fact that cannot be denied. Now is the time to embrace technology with open arms and allow it to give us the power to move forward and flourish.

With the almost complete digitalisation of work-based communication, optimising use of fully integrated portals is vital for process interactions and productivity online with clients, other law firms and third parties. But for firms to gain real value from technology investments, legal technology providers must provide open operability, not just between their own applications sets, but for others too. This means more API development and common frameworks to improve business processes, cut costs and boost efficiency. The increased pressure for firms to provide services quicker and at lower cost has also resulted in the adoption of robotic process automation (RPA) tools, which can further advance the notion and success of a paperless office, replacing human administration. To add value to the business, internal IT departments should be focused on business and legal application development, truly aligned to business needs, and let technology providers handle the back-end solutions and frameworks. ‘Anytime, anywhere’ may be an old phrase, but it is now more relevant than ever. Applications and services need to be completely accessible, so moving to a full or hybrid cloud solution is the only logical way a firm can achieve this. The Covid-19 pandemic has proved to all that this technology can and should be trusted.



“‘Anytime, anywhere’ may be an old phrase, but it is more relevant than ever. Applications and services need to be accessible.”

David Fazakerley, in-house legal CIO, CTS



03

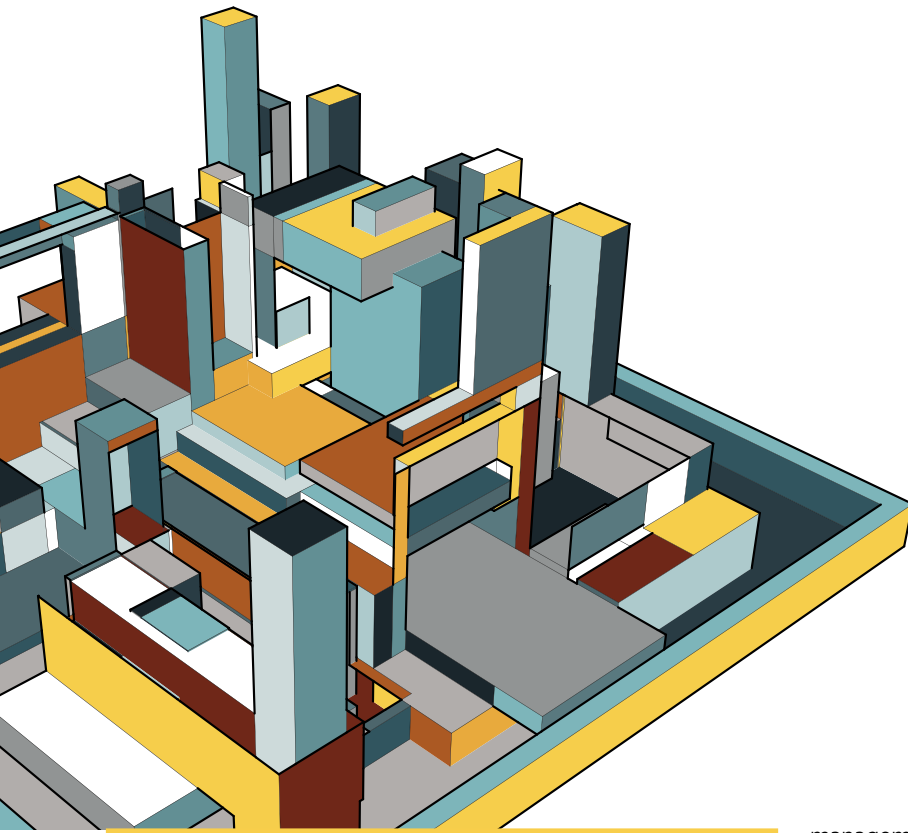
Where are the opportunities?

And what are the biggest opportunities for service change, innovation, or even competitive differentiation as organisations, as law firms find their ways through and out of 2020?

Moore Barlow has recently appointed a new director of marketing, and Ed Whittington sees the exploration of new ways of fostering and building relationships with client businesses as being key to working virtually and successfully.

Then, more generally, could firms' responses

to this year's events open up a new front in the so-called 'war' for the best legal and other business talent? Moore Barlow has the future of physical workspaces in several different styles to consider within its current office footprint. But with a City of London hub office, and several regional presences within easier reach of many people's homes, he says: "The opportunity is there to offer a different way of working, where a lot can be done from home, but perhaps coming with less risk of fragmenting the culture."



“Firms like ours should become more attractive to a wider range of people if they can enjoy a more sustainably sensible work-life balance. I don’t anticipate no office time for people at all, but it ought to be more focused, disciplined and cost-effective.”

Adrian Biles, CEO, Ince

Dowden at Burges Salmon says videoconferencing and collaboration technology has clearly risen to the remote-working challenge already, and may now prove a significant geographical leveller in the years ahead. “A more hybrid model could conceivably enable people to live in one location, and ‘work’ somewhere quite different,” she says. That could be the case for professionals right across the operation; presumably with some implications for project management work, but also perhaps further shifting the multi-disciplinary law firm’s blend of different

management and technical skills and contributions.

Anthony Hughes at Simpson Millar adds: “If people no longer need to be in the office all week, the available talent pool also suddenly grows. We’ll probably see some new opportunities to hire people in different parts of the country.” And Adrian Biles at Ince agrees: “I hope we don’t return to the presenteeism of 10 hours a day as standard to achieve a productive eight or six, with all of the cost, time and health implications of that. Firms like ours should become more attractive to a wider range of people if they can enjoy a more sustainably sensible work-life balance. I don’t anticipate no office time for people at all, but it ought to be more focused, disciplined and cost-effective.”

Steve Rowan says that for RPC: “There could be some more opportunities now for firms to pick up new people or teams. On lockdown we were some way through budgetary planning for this financial year, so we did put an immediate pause on non-essential hiring – while honouring those who had already received an offer. But the budget foresaw demand on both the fee-earning and business services sides, so we’ve been able to continue to support hiring where the business case is there – perhaps a little more vigorous, but if it’s a good case, we will support it.”

Andrew Taylor at ONP adds: “We’ve had some



“We shouldn’t underestimate the need for human connectivity – nor the business value of the serendipitous conversations in corridors, the culture and the collegiality. But office buildings could become more like hubs.”

Emma Dowden, chief operating officer, Burges Salmon

people join us recently, who are yet to even enter one of our offices. They’re already successfully working away on the remote desktop, with two-factor authentication applied for security, and being able to bring people onboard in this way will enable us to continue to expand, even with everyone working remotely.”

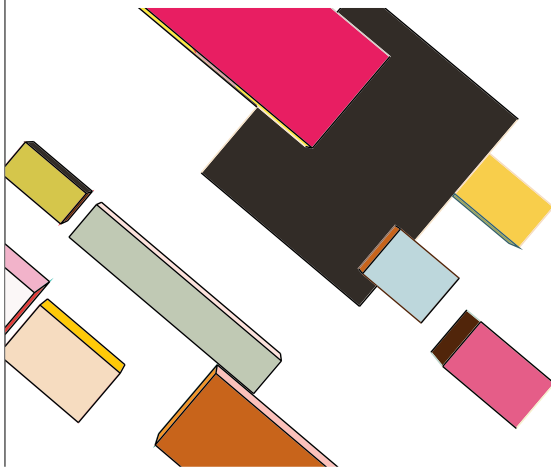
Of course, along with any change in how

business or individuals choose to use it, the office space itself may see some further innovation. Stanton at Shoosmiths says: “We’ve reached no conclusions yet, but with a portion of your workforce at home, logic would suggest you don’t need as much space in the office – but what does that look like? What are the reasons people would choose to come to the office? It will probably be to collaborate effectively in person, so you may not need to reduce overall footprint, but rather have fewer dedicated desks and more project rooms or spaces.”

This is precisely the work of Burges Salmon’s new ‘reimagine’ working group, says Dowden. “I don’t think this is the end of the office. We shouldn’t underestimate the need for human connectivity – nor the business value of the serendipitous conversations in corridors, the culture and the collegiality. But office buildings could become more like hubs, with collaboration furniture, innovation areas, and perhaps zoning of floors for different activities.”

On the other hand, she adds, the more hybrid model of working may give firms an advantage

in their attempts to continue to progress on diversity of talent and equality of work opportunity. “There have recently been some acute challenges for people in terms of childcare and other life



responsibilities, but in future this flexibility may help to overcome some of the hurdles they have experienced; working differently making for a more diverse and inclusive workforce.”

Tim Bond at Memery Crystal concludes: “It has all become quite the art of the possible now some basic perceptions have changed about how a business really can be run.” That doesn’t just mean the strategic opportunities for introducing automation and long overdue streamlining of process, he says. It also goes for smaller matters such as points of policy or etiquette when managing group meetings; who, for example, now has the right to “dial in” if/when more people return to some form of office space at the same time?

Of course, with all these predictions and questions about the future, we now have to say watch this space. ▲

PARTNER COMMENT

There is no doubt that the coronavirus health crisis has caused many problems, but it has also created boundless opportunities for innovation. Law firms will be forced to adopt new models for interacting with clients, which may alter and change with time, as the world returns to a ‘new normal.’ Now more than ever, client expectations are high and must be met. Take advantage of this moment to invest in technology that will not only meet but exceed these expectations.

As well as creating opportunity to support clients, the introduction of a hybrid working model will help to ensure that staff are being listened to, understood and taken care of, which is fundamental to improving productivity, efficiency and company culture.

Establishing yourself as a firm that cares for both its clients and its workforce is the perfect opportunity to attract top-notch talent, something that can also be facilitated by a remote-working model. Presenting staff with the choice to work flexibly opens the door to a wide pool of talent, who may work for you from anywhere, bringing a range of skills, diversity and motivation with them. Alongside attracting new talent, you are presented with the chance to retain top talent and retrain existing support staff to advance their roles and add value.

It will not be enough just to do the minimum that clients expect, or just enough to see this unusual period through. Now is the time to invest, to evolve, to cut dead wood costs, and truly impress your staff and your clients. Make a difference.

The time is now. ▲



“You are presented with the chance to retain top talent and retrain existing support staff to advance their roles and add value.”

David Fazakerley, in-house legal CIO, CTS