

Briefing Leaders

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JULY 2022



**BUSINESS
DEVELOPMENT
AND MARKETING
LEADERS**

2022



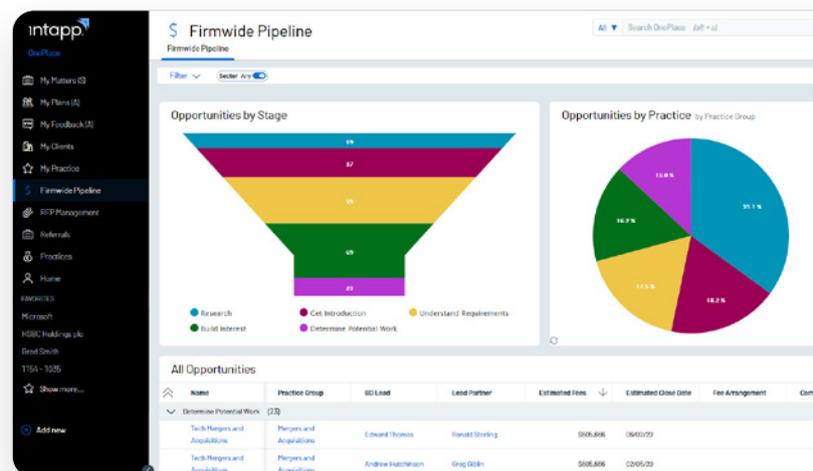
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Access to data and the insights it provides is fundamental to client success – but getting partners and professionals on board with a traditional CRM remains a challenge.

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The **Briefing** Business development and marketing leaders research for 2022 reveals that law firms continue to contend with growing pressures on client and internal delivery, while struggling to create frameworks for managing the client journey experience. Consequently, firms have turned to MBD leaders to modernise strategic planning and provide fresh perspectives on innovation opportunities.

Tapping marketing and business development talent for innovation

Reflecting a steady uptick, three-quarters of respondents report marketing and business development representation on their firms' boards in 2022. Further, whereas a third of marketing and BD leaders said their teams were involved in developing new products and solutions for clients in 2021, this year's data shows a sizeable increase, with three-quarters of leaders saying they're more involved — and a third saying they're substantially more involved — an indication that firms are placing marketing and business development teams at the centre of the innovation orbit.

It's well established that diverse teams incorporating a wide range of perspectives deliver better outcomes. In this year's survey, two-thirds of leaders report an improvement in diversity, which bodes well for innovation initiatives.

Building core capabilities that deliver maximum business impact

The data also shows that two-thirds of MBD leaders are prioritising digital marketing talent — presumably attributable to pandemic-era pivots — with client relationship management and data expertise clocking in at 46% and 34% respectively.

Asked which capability improvements they felt would deliver the biggest business impact, two-thirds of these leaders also identified CRM, with data expertise and lead generation in second and third place. These findings remain aligned with responses in 2021, where leaders were keen to prioritise CRM for modernisation as the foundation for clearer client strategy and improved account management.

Measuring the health of client relationships

As it's challenging in practical terms to standardise processes, only one fifth of leaders say they have a framework for managing the client journey, which explains increased appetite for CRM improvements. Fewer than half of leaders say they're assessing strength of client relationships at an individual level, and firms focused on lateral hiring contend with the added complexity of capturing relationships held by new joiners.

Finally, this research finds firms are largely focused on lagging indicators for client relationship health. Analysing leading indicators — like new enquiry rates and client position in the market — provides timely and actionable data. Investing in CRM improvements that enable firmwide intelligence while underpinning end-to-end processes ultimately culminates in increased revenue, profitability, and competitive advantage. ▲

BRIEFING PEOPLE



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01

Leadership shapes – on board with business change

Briefing has been conducting research into the worlds and work of marketing and business development (MBD) leaders at top law firms for several years now. We've covered indicators of responsibility, mobility into the profession from other sectors and diversity, as well as various aspects of strategy and investment – from resourcing decisions through to technology choices that could power process change across the matter or relationship lifecycle.

For 2022's research, we begin with a potential point of differentiation that we've tracked in polling for the past three years – is MBD represented in the decision-making of the boardroom? There has been a significant increase in the number of leaders who say their department does indeed contribute to these strategic conversations – 73%, compared to the 56% that said this was the case in the spring of 2021 (p5).

Kristina Oliver, marketing and business

Words

Richard Brent,
head of content

Research

Sarah Butler,
data team leader

development director at **Keystone Law**, says: “It’s hugely positive to see more marketing leaders at board level now. It wasn’t so long ago that you would often have seen the ‘marketing partner’ in that role – that is, a lawyer who also ‘wore the marketing hat’, but it really wasn’t their day job.” As one of the original ‘traditional’ law firm disruptors – supporting widespread remote working, and where lawyers don’t have set targets for billings – Keystone has always had a very different cultural mindset, she says, with business management professionals appointed to have the accountability for driving change, operational improvement, and of course brand, from the centre.

Ben Buckton, chief marketing and people officer at **Shakespeare Martineau**, is a partner and member of both the group and executive boards. As his biography on the firm website puts it: “Ben is a key driver of our growth strategy – ensuring we make the right investments to develop our people, brands, clients, markets and innovations that unlock potential.”

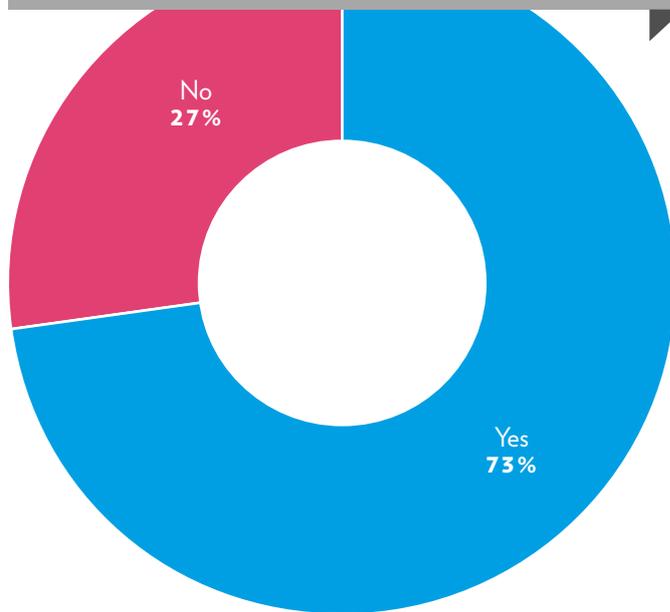
He explains the rationale behind the fairly distinctive combination of business functions in his job title: “A firm absolutely needs to attract great people to attract great clients, but in fact the reverse is also true. It’s a very hot market for both at present.”

He adds that this climate, emerging from the changes to business since 2020, may also have added momentum to the apparent elevation of marketing thinking and skills across the board.

“A firm absolutely needs to attract great people to attract great clients, but in fact the reverse is also true.”

*Ben Buckton, chief marketing and people officer,
Shakespeare Martineau*

IS MARKETING/BUSINESS DEVELOPMENT REPRESENTED ON THE BOARD AT YOUR FIRM?

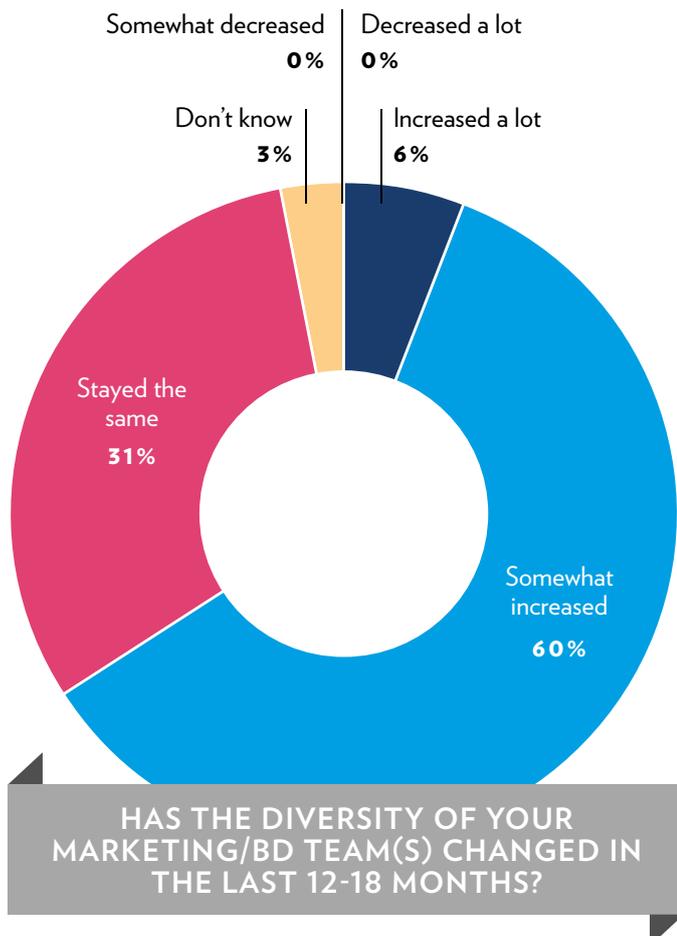


IN BRIEF

Almost **three-quarters** of leaders responding to this year’s research say the business development/marketing department is represented in the boardroom – up from the 56% who reported this in 2021. Is it a sign that insight from the function is increasingly recognised as central to overall strategy?

“I see this as a key time of both reviewing and re-engaging ideas around BD and growth. By necessity we all found new ways of doing things – we became more agile – but inevitably client-facing people haven’t been out in the market as much. Conversely, those who once might have been happy to go to the opening of an envelope are no longer of that mindset. The hybrid world changes where and how you invest – and people’s time is the most important commodity.

“Law firms are acutely aware of the need to keep evolving to compete. It’s no different for many other industries, but it’s fair to say that others have



to sell to them differently to win business, and what would it take to make that happen?

“On the other hand, I think you could also make the argument that it’s simpler – there is greater involvement at the top over time because others have a greater understanding of the value we bring. And the more people you see moving into those positions, the more that value is understood.”

Moving the diversity dial

Arguably, the pandemic experience has also moved law firms in terms of internal engagement. The challenge of first fully remote work, then modelling and maybe remodelling hybrid working, underlined the need for the right support, identifiable values, degrees of flexibility and inclusion at all levels.

For several years this **Briefing** research tracked the gender diversity of marketing and business development leadership, and in 2021 we had results from slightly more women (51%) than men (49%) – and no respondents then identified as non-binary or another term. In 2022, we wanted to learn something about diversity within wider marketing and business development teams.

Two-thirds of respondents say that diversity across its forms in their function has increased in the last 12-18 months, and just under a third that it is unchanged. Encouragingly, only 3% of leaders say they don’t know whether the last 18 months has seen a change (p6).

Howitt at Weightmans says: “Most would probably acknowledge that you’ve traditionally seen more women than men in marketing and business development. The diversity in my own

been working on it for significantly longer.”

Rachel Smith, sitting on the board as director of marketing and business development at **Cripps**, agrees with Oliver and Buckton: “As technology moves on so quickly, firms are reviewing their business strategies to keep pace, and there is increasing recognition of the value and contribution that can be made by qualified and experienced business services professionals.”

Sarah-Jane Howitt, director of business development and marketing at **Weightmans** – also the first of several business services partners promoted at the firm over the years – has a connected take on what has happened to her area: “The arrival of the pandemic saw very many in marketing and business development roles suddenly very busy, but at the same time there was no travelling all over the country to in-person meetings.” The back-to-back video calls notwithstanding, she says: “There was potentially some more time and headspace to think – and people really needed to think. We could see that clients were thinking differently – so did we need

“We could see that clients were thinking differently – so did we need to sell to them differently to win business, and what would it take to make that happen?”

Sarah-Jane Howitt, director of business development and marketing, Weightmans



team at present is probably the best it has been in my career, but that's as much a reflection of the market and vacancies arising.

"I definitely have an eye on ensuring equality of opportunity, but am equally very interested in what each individual can bring to the party in terms of skillset, and even personality. You do need a team that can bring a diversity of thought to challenges and building solutions – as that gets the best results."

Deborah Fleming, marketing and business development director at **Walker Morris**, adds: "I always try to be conscious of not just recruiting people who think, act and communicate like me. I'm also aware of trying to remember that the best person isn't necessarily the one who's most likely to

agree with you, particularly in marketing."

Leor Franks, business development and marketing director at **Kingsley Napley** – on the board, and also leading on knowledge and information – agrees: "A big part of marketing is understanding the market to bring in the insight about it, and it's a lot easier to achieve that understanding if you can fully empathise with the market. It's bizarre if some firms still haven't cottoned on to that." In addition, he identifies the limitations of groupthink. "You will clearly have more ideas and perspectives provided by a group who haven't, say, all been to a public school and a top-five university. My senior team and I will sit together and mull over any broken processes, for example – and although I may have a preconceived idea of the ideal outcome, others come up with ideas I never would."

"At the same time, we have a firm-wide initiative to support diversity across business services, and it's important to me personally. I think I do have a diverse team – including in terms of gender, race, nationality, sexual orientation and neurodiversity. It's only that the best candidates have happened to be diverse, but the firm is also particularly diverse overall considering its relative size." ▀

"A big part of marketing is understanding the market to bring in the insight about it, and it's a lot easier to achieve that understanding if you can fully empathise."

*Leor Franks, business development and marketing director,
Kingsley Napley*



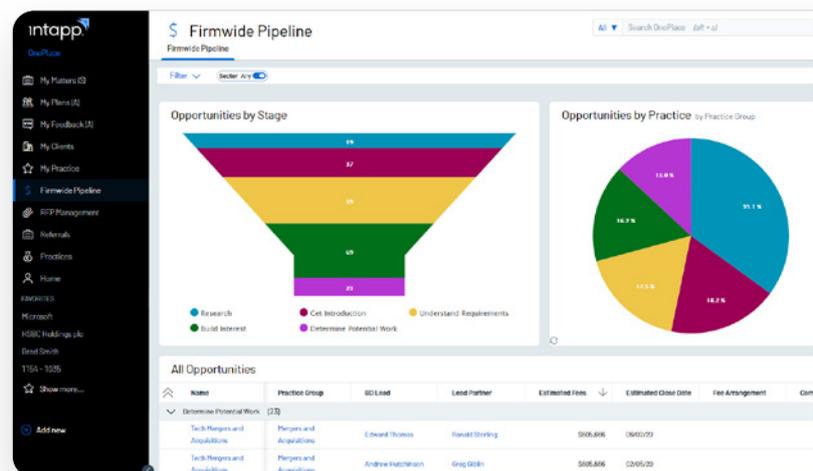
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02

People priorities and changing channels

What are the change and improvement priorities for business development and marketing leaders in 2022? One indicator is that the top-three areas where they report the fastest increase in need for particular skills are digital marketing (63%), client relationship management (46%) and capability with data (34%), whether managing or analysing it (p10).

It's clear that the 2020 pivot to much greater virtual engagement saw an extra surge in digital marketing workload – and as already mentioned, a likely requirement to rethink how those messages are delivered. For CRM talent to be in second place, however, may seem a more surprising result – law firms have been consistently working on its mechanics for many years.

Kristina Oliver at Keystone Law says: “Most of the marketing we now do – that everybody does – is digital, but at the same time we really do have to value and prioritise personal relationships.”

Ben Buckton at Shakespeare Martineau agrees: “Actions like applying artificial intelligence to contact information will only get you so far. Good technology is an important asset for marketers, but it isn't a substitute for real relationships.”

Moreover, CRM is also way out in front as the capability where leaders believe an improvement could see the biggest impact on wider business performance (p11).

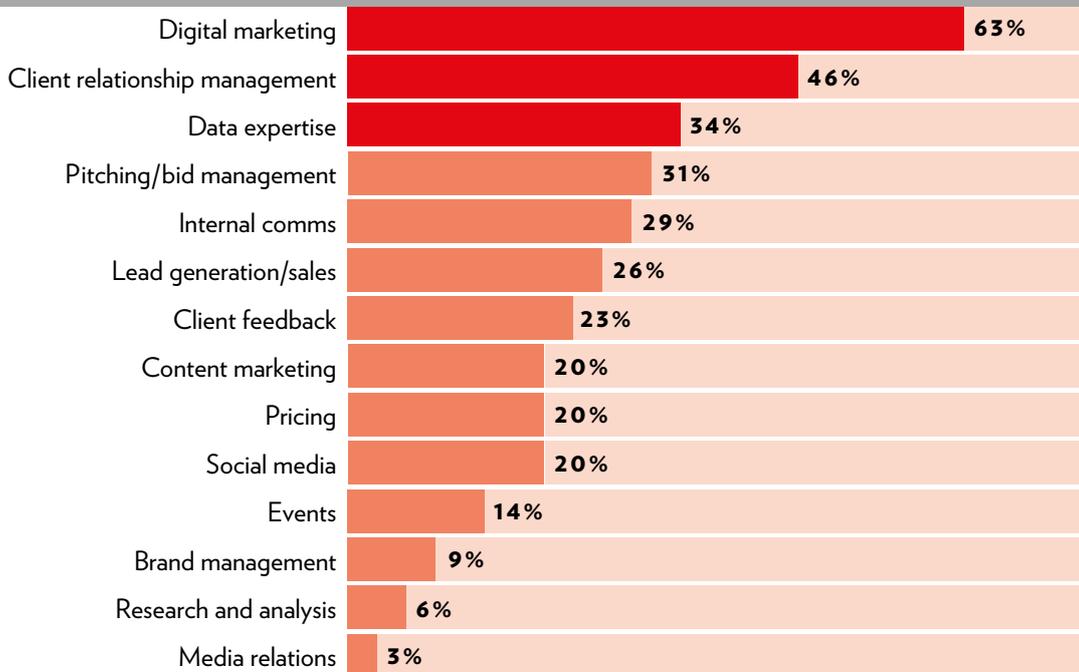
Buckton continues: “Firms that are client relationship-led also need to have a good understanding of precisely who at a client needs to be aware of particular activities or opportunities. And performance in areas like that can be challenging to measure. We can take some of the friction out through automation, but there's still a real requirement for people to lean in and be accountable for recording activity in the first place to track insights effectively. The ROI with CRM effort can be huge if you do have that accountability. The internal message for us is that CRM is a mindset, not a system – and adopting good practices will lead to great results.”

Oliver agrees that a CRM system is only as good as the data people are willing to put into it – recording and updating – but there's more: “Marketing may be very good at growing databases, but is that data being used productively? Does it actually change decisions?”

Rachel Smith at Cripps adds: “For our firm it is less about the technology than driving adoption and engagement with it – not only putting data in, but also getting it back out and cutting it to best effect.”

Leor Franks at Kingsley Napley certainly has tackling CRM among his top-priority projects. “It's a strategic imperative,” he says. “And I'm fortunate in that, having set the strategy and philosophy, I

IN WHICH AREAS/SKILLSETS IS THE DEPARTMENT SEEING SHARPEST INCREASE IN DEMAND FOR MORE TALENT/ RESOURCE IN 2022? (PICK YOUR TOP THREE)



now have a new head of digital and data who owns it day-to-day.”

He’s currently between CRM systems, he says, and has also just launched a new key account programme, beginning with identifying the biggest sources and referrers of work and notable gaps in priority markets. “There’s now a seven-step approach of charting the journey of accounts and measuring, but a new system coming in 2023 will give us a lot of the insight we need. Current data is coming in from different legacy systems, and automated, but lacking some more qualitative insight about contacts.”

Sarah-Jane Howitt at Weightmans adds that one reason CRM may have emerged as a top priority for both investment and process improvement is that you can never really say it’s “done”.

“Clients are continually changing and their markets are always changing. A key client might have been on the roster for decades, but the organisation won’t stop changing – and marketing needs to manage to respond to that. When some client relationships reach a certain size, they also become much more complex in terms of both individual connections and the delivery of a range



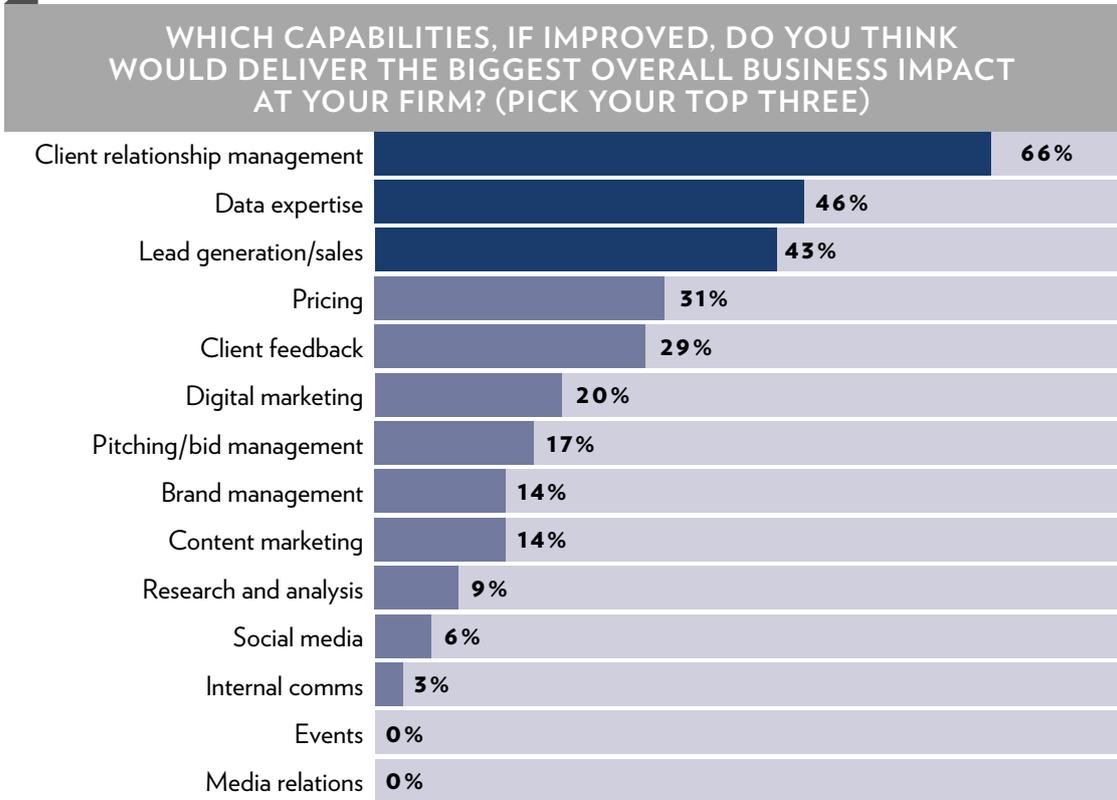
IN BRIEF

Digital marketing and client relationship management (CRM) are clearly the deliverables where most leaders feel greatest need for additional skills within their teams of 2022 – and CRM is also the space where they say extra capability could be wielded for most competitive advantage.

of different service lines.”

For Howitt, it’s recognition of the role of data ability that really stands out among the results (almost half say it’s change here that would transform business for the better – p11). “That truly looks like a step-change in just a couple of years. It’s the first time I’ve seen such clear acknowledgement that those skills will be that important in a business development and marketing context,” she says.

“Harnessing technology, and then driving the data out to inform strategy – knowing what’s



working and what’s not – has to be the way forward. Weightmans has taken steps to join the CRM system up with other data sources, she says. “We can cut surrounding matters, wins, sources of work, billing, profitability, and so on – and then you need to try to layer the whole view of the client on top.”

But even where people are onboard with capturing conversation information to analyse business impact, this is complicated, she explains. “Are the right people at the right levels engaging with content, for example, and can that data be linked to the next best steps to convert into an opportunity? Then, does it fit well with the narrative a lead partner wants to articulate?”

“It can become quite complex to unpick, but connecting data more closely to strategy could be game-changing.”

Deborah Fleming at Walker Morris then also distinguishes between CRM and customer experience. “There’s what I’d describe as the ‘advantage card skillset’ – journey mapping and interrogating data as retailers seek to understand buyer behaviour and use loyalty cards.”

However, Franks is surprised leaders don’t see some other skillsets in the MBD mix as higher priority. “Many firms parted ways with business

events talent during the pandemic. We redeployed an events manager into a BD role, and are now hiring into the space again. The competition for talent there may be hotter than in CRM, not because the skills are rarer, but because of a sudden upsurge in demand as in-person returned.

“There are some areas where I think law also really leads among industries – like client feedback.” Almost a third (29%) of leaders in our survey see this as a capability currently ripe for greater investment (p11). “I’ll personally interview a set of the firm’s key account clients – and it’s me as a board member by design. It demonstrates that we know they’re giving valuable time to help with our assessment of client service, and they have our respect for that.”

Product placements

At the more packaged end of the client experience, BD and marketing teams are then increasingly involved in the ideation and delivery of new solutions for accessing legal services, according to their leaders. In our research in 2021, one third reported their teams had “a lot” of input into this area of the business, and now in 2022 almost three-quarters (74%) believe they’ve become more

involved than they were a year ago (one third say “a lot more involved”). Only 3% say their departments don’t contribute to work of this nature (p12).

The experience of clients through the pandemic has certainly put some more pressure behind proactive “proposition development”, says Ben Buckton at Shakespeare Martineau. “In addition to digital products such as elements of self-serve and subscription-based offers, there’s growing demand for fixed-price, and we’ve also needed to be responsive with ‘moment in time’ products that meet a new, emerging or immediate client need.”

Rachel Smith at Cripps says the business services leaders collaborate on service innovation, including a recent emphasis on how it approaches ESG (environment, social, governance). “There is a lot of data to collate there to evidence the impact of changes. Another positive development is to see more firms working collaboratively on solutions.”

Howitt at Weightmans adds: “There are several areas of involvement within the team – product development itself, a role on a new product steering group, and BD experts aligned to particular business sectors.”

Again, she highlights the advantage of having a diversity of minds on the case for such activity. “A partner brings the legal expertise, there are the opportunities from the perspective of innovation and technology, and what that means for pricing. MBD’s role is to understand how to test what the market really wants and values effectively.

“Firms need to consider any new idea in the context of current delivery processes and team size, decide whether it needs to be scalable, and then create the appropriate go-to-market campaigns. Clients also frequently ask how we are using new technology ourselves, so it really helps to have some proof-points of that if applicable.”

And Gaius Powell, director of business development at **Shoosmiths**, highlights that however productised their offerings, firms should be focusing more of their energies on the space serving clients between large deals.

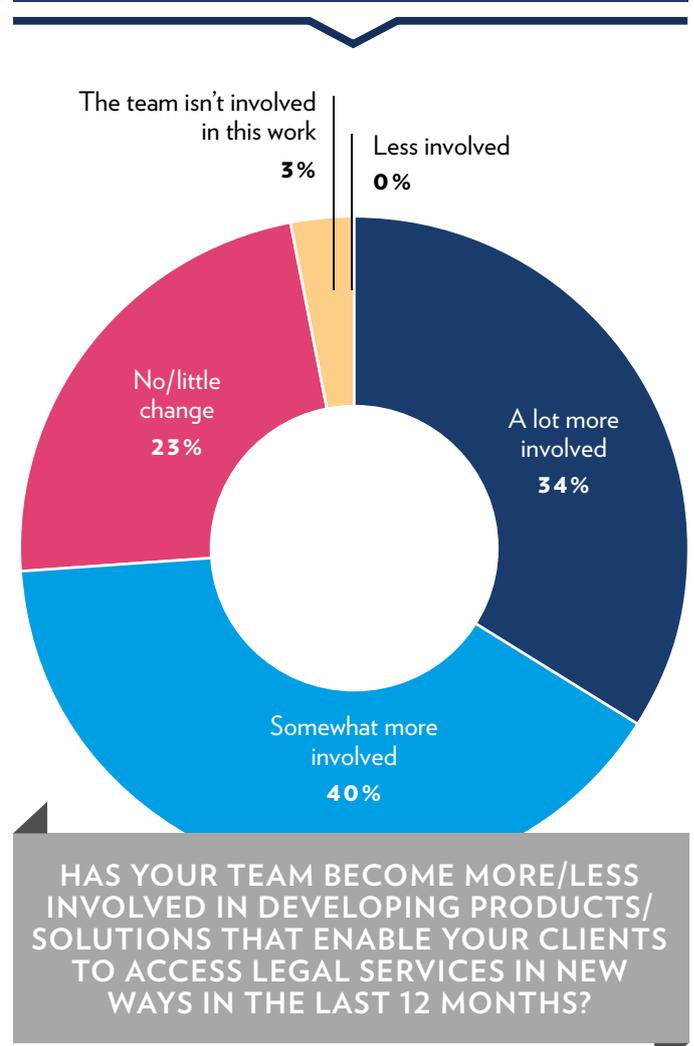
“They should be striving to be less transaction-dependent to drive demand.

“When the market is buoyant, there’s also a risk of complacency in failing to maintain regular client contact with ideas that support the broader



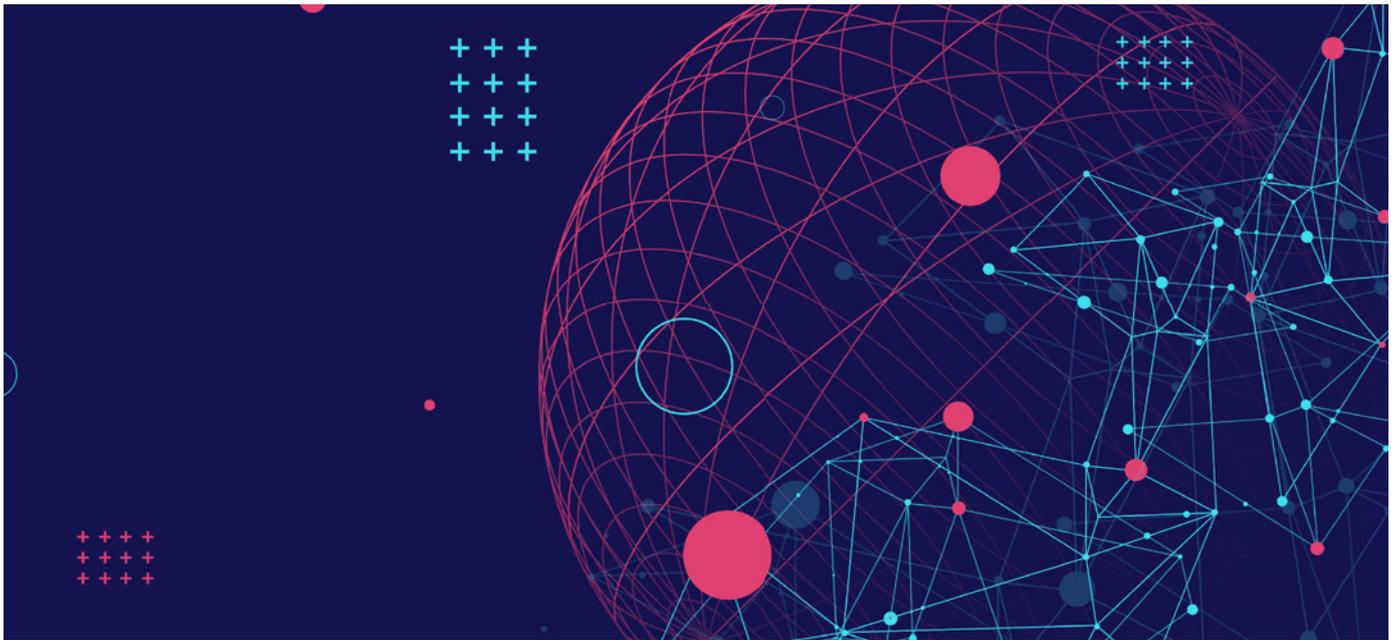
IN BRIEF

In 2021, one third of leaders said their teams had become very involved in **client-facing product/solution creation** over the preceding 12-18 months. In 2022, **three-quarters** say they’ve become more involved in this aspect of service delivery – and **one third** “a lot more”.



business – regulation and compliance, for example, to help with operational resilience and brand protection.

“Other players in the market, including new entrants, are actively looking at such areas where they can provide similar risk management-style services under a different model.” ▀



03

The journey to joined-up client understanding

Finally, wherever services sit on the bespoke to commoditised spectrum, is there a way that a firm can pull together and organise its assets, including talent, which is most likely to bring in new business and expand existing clients to new corners of how it can potentially help? Of our sample of leaders, one third (34%) said a client's industry sector carried most weight (p14) – apparently in line with a trend over the past decade of distilling clients down into a smaller number of core priority groups to be 'known for'. Ideally, this will fuel more collaborative cross-selling between them as well as deepening client understanding and recognition.

However, almost as many (29%) say no single dimension outweighs the others – the practice structure for example (23%) or firm as a whole (3%).

Kristina Oliver at Keystone Law says: "The way you market does depend on opportunity and audience. In this firm we view our lawyers as clients, while also supporting them to grow closer to their clients as trusted partners. Promoting the firm certainly requires marketing within industry sectors, as does proactively helping lawyers to promote themselves online – something that increased as a

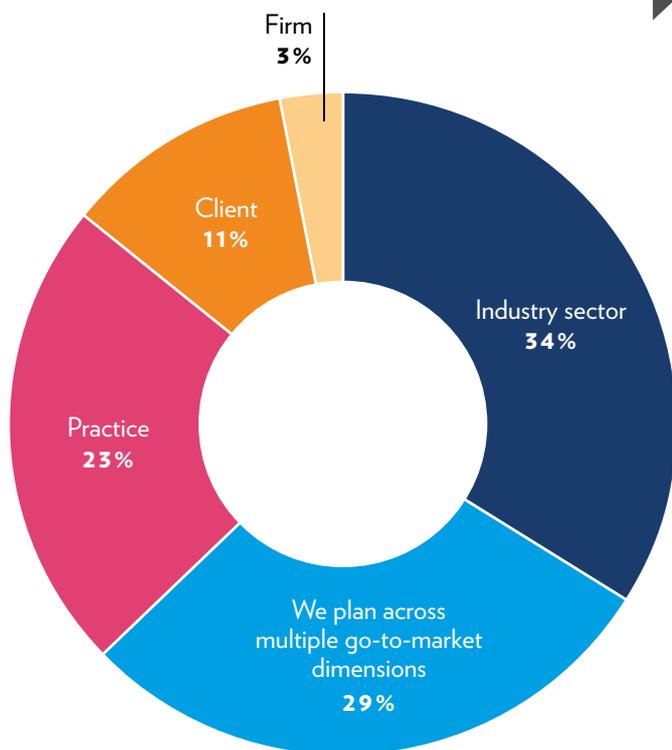
priority with the arrival of the pandemic."

Ben Buckton at Shakespeare Martineau adds: "The trouble with a 'sector first' approach only is that you can risk leaving certain clients behind. It's for us to meet them where they're at, and the reality of a client's situation may be where several dimensions meet, including geography and sector. No less than a big player in an industry, a company could view itself as fundamentally a mid-sized, regional business – or simply one in need of employment or property expertise for a problem, agnostic of where they're based or the sectors they operate in. We lean in to our areas of expertise, which includes sectors, and look to cover the intersections of a client's profile."

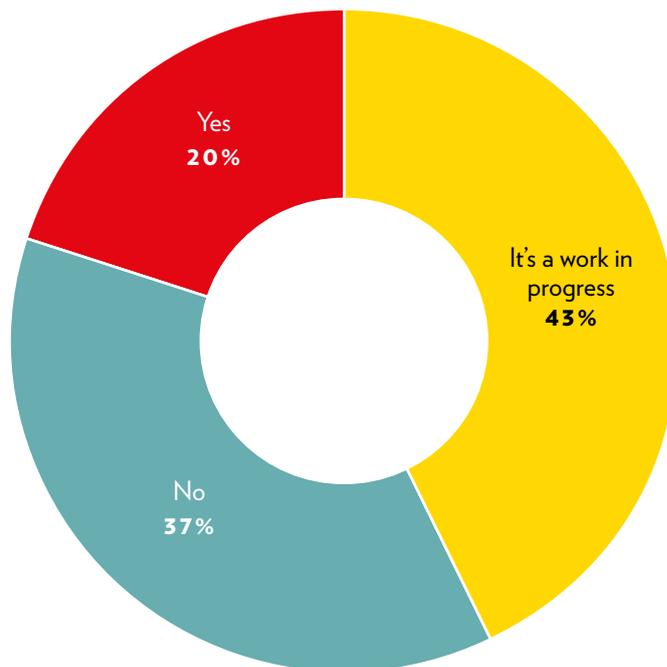
And Deborah Fleming at Walker Morris has another word of caution: "Sectors do make natural sense as a marketer – perhaps more so than they do to lawyers. We introduced a sector programme several years ago and are now very much a matrix, but if you aren't in a niche it's important to ensure the approach brings about real benefit."

Then, armed with useful data to support the effort or otherwise, do firms have a fully joined-up process for managing a given client's journey

WHICH FACTOR CARRIES THE MOST WEIGHT AT YOUR FIRM FROM A GO-TO-MARKET PLANNING PERSPECTIVE?



DOES YOUR FIRM HAVE A FRAMEWORK OR MAP FOR MANAGING THE CLIENT JOURNEY/EXPERIENCE ACROSS THE FIRM?



IN BRIEF

Most leaders who can single out one factor that carries most weight in go-to-market planning say it's 'sector first'. Just over a tenth put the client top – while only one fifth say their firm has a framework/map for managing a client's journey right through the business.

through the firm? Only one fifth of our MBD leaders say they do have such a framework, with a similar number either managing without (37%) or describing this goal as a work in progress (43%).

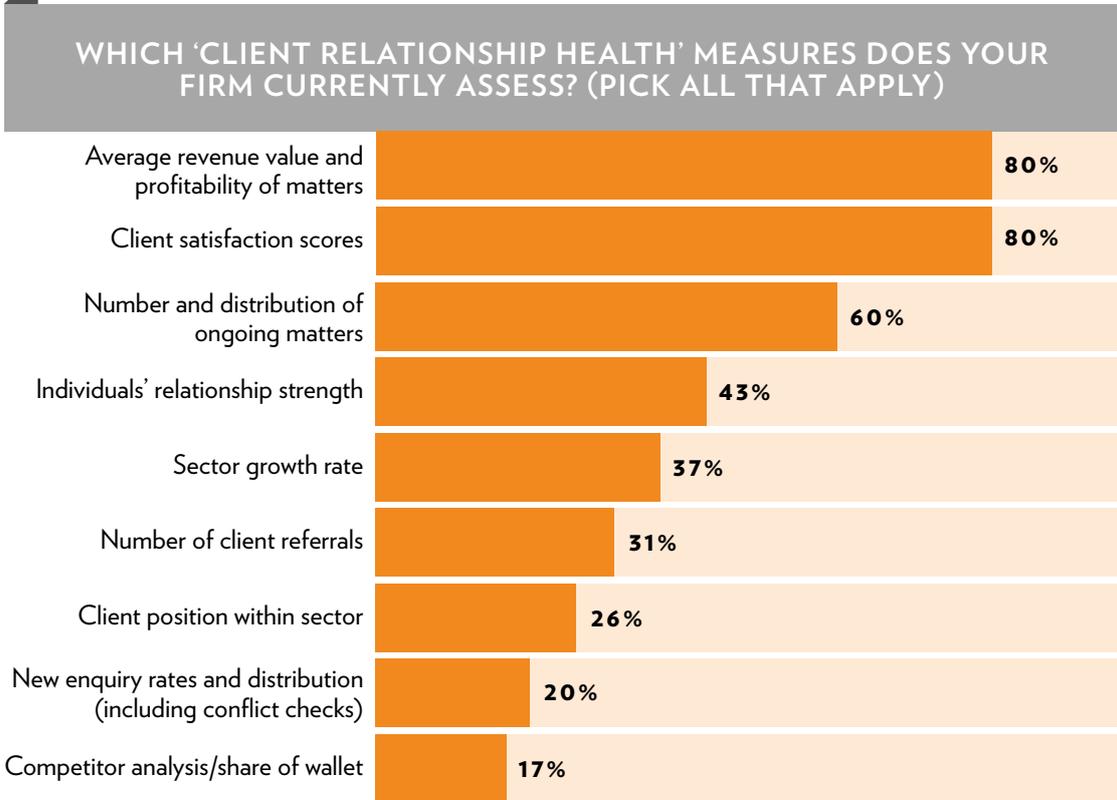
Leor Franks at Kingsley Napley says. "In the 20-something years I've worked in professional services BD, I've never seen a fully codified, documented client journey that everyone had at

their fingertips and fully understood. There are the individual elements – onboarding, service, feedback – but they need knitting together."

One problem, he says, is that firms can develop ownership silos as they grow – things that were once undertaken 'automatically' no longer are, and then it takes "a new broom" to reset strategy.

"I often talk about a client's journey to 'favourability' with us as 'four Rs' – establishing recognition, building reputation, developing relationships and growing revenue. I use that as a marketing strategy and planning tool, as well as a client audit and revenue analysis tool to understand where we have come from and what to do differently." It's important that this view lies over the top of any technology-driven approach, he says.

The firm has also recently appointed a new head of business acceptance to focus on client risk profile, particularly pressing in the wake of sanctions against Russia. "They're building a team, as well as introducing some streamlining technology – primarily to handle onboarding, but also assessing service effectiveness once work is in process."



Sarah-Jane Howitt at Weightmans adds: “The more people you have in more locations, the harder it can be to build a consistent experience for a single client. Perhaps as a result it never quite rises to the very top of the priority list for tackling today – and on top of that, is there a consistent view of where such a thing should sit, in service delivery or client experience and feedback?”

Indeed, there was little consistency among responses to precisely this question – some saying a director, executive or team with responsibility for ‘client experience’ or service, some business development, but with answers also ranging from a senior partner-led committee to a very broad combination of teams. Several also simply said that nobody was in possession of the programme where it exists: “No one. That’s the problem.”

Fleming at Walker Morris agrees with Howitt. “Thinking about absolutely every place that a client touches the firm is probably quite daunting. They could be more inclined to pick a quicker win within client experience to get started, such as where work originates or billing.” In the case of her firm, she adds, it’s also important that moving through the business, “from being entirely new, right through to a key account”, correctly reflects the brand.

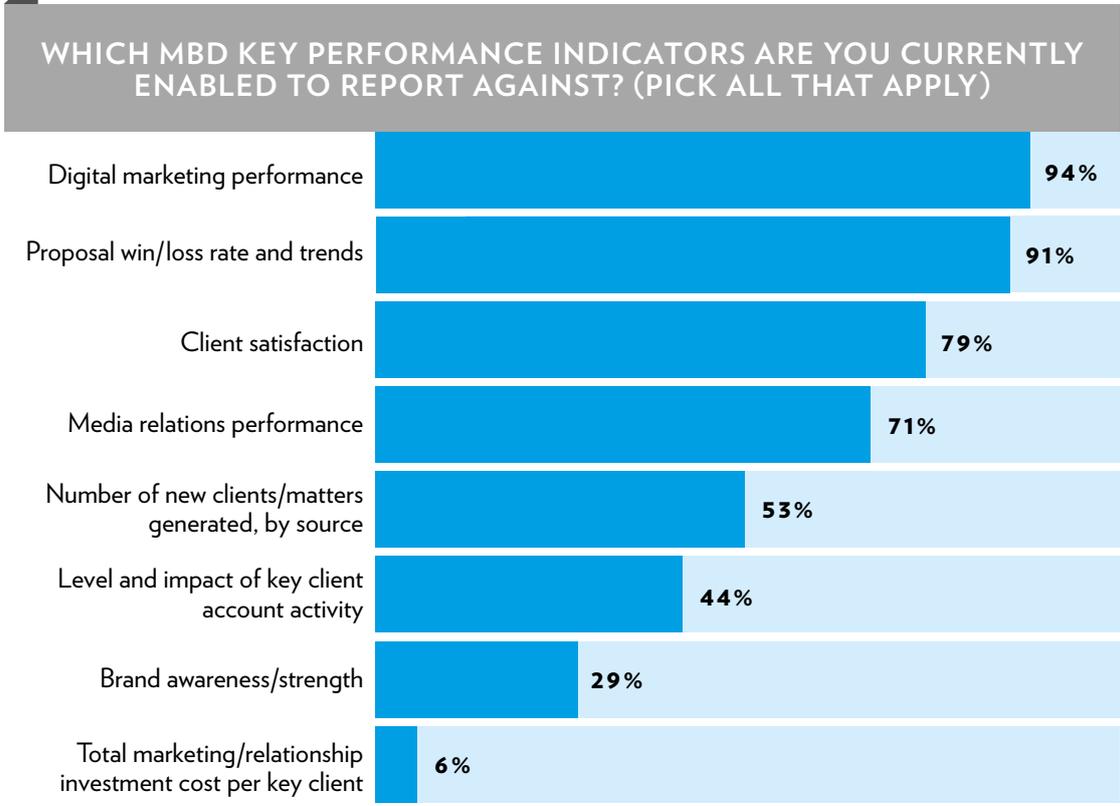
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IN BRIEF

Although the majority of leaders report their firms assess a couple of key indicators of business growth and client retention, fewer than half can say this for a whole host of measures – including the strength of personal connections across firm and client (43%).

But Cripps is one of our 20% that do have a schema, says Rachel Smith: “We’ve looked at collaboratively refining journeys for each practice area as part of our innovation programme – Project Spark – identifying opportunities and priorities to streamline based on talking to clients about their experience of challenges at key touchpoints.”

Nevertheless, when measuring the strength of client relationships in general, under half of respondents said they assessed a host of potential measures beyond profitability and client feedback



– sector growth (37%), referrals from other clients (31%), the client’s position within a sector (26%) and new enquiries (20%). Moreover, just 43% said they assessed the strength of networks of individual bonds that exist between firm and client (p15).

Howitt says: “You do need to understand the strength of relationships with decision-makers, but as often with data, it’s complicated.” Is a relationship strength score based on volume of communication truly representative? “A partner on a single matter may have sent many, many emails to a client contact in a short period of time, so the engagement score appears very high.”

On the other hand, says Fleming, harnessing automation to measure relationship strength can help to identify relationship risk objectively – where there’s particular vulnerability as the number of ties to a client declines, which perhaps requires some succession planning as a result.

Gaius Powell at Shoosmiths points out that a metric such as sector growth rate can also be complicated by overlaps between sectors and markets – while much like the effectiveness of the CRM system, reporting on all MBD activity relies on the quality of the data at its disposal.

“Of course, we need to know the difference

something like sector investment makes. At my firm we’ve also spent some time working on a central inception function, which offers many benefits, but fundamentally you need the accuracy of the data for reporting on it to be worthwhile.” That’s an initiative for many firms in its own right, he says. As for the impact of client investment: “We monitor the growth of clients and service lines within billing bands, and profitability as a consequence.”

Ben Buckton at Shakespeare Martineau says some things are clearer candidates for reporting than others. But concludes that even where the data is reliable, it’s only the beginning.

“New matters, client profitability, win rates – all are important, but law firms usually need to have a much better look under the bonnet of such metrics.

“Brand studies can be of more questionable value. More should absolutely be invested in longer-term brand-building as opposed to purely shorter-term wins, but that investment also needs to create long-term value. Proving that is an ongoing challenge.

“Making the best decisions, building the right programmes, and not wasting energy or resources – those are the things MBD does that add the most value.” ▲