

# Responsible business strategy

September 2016

# Contents

Executive summary .....	1
Our responsible business (RB) strategy.....	3
Annex.....	7

## Executive summary

### *Putting responsible business at the heart of our firm*

The way we do business reflects who we are at Freshfields – our character, our values and our ethos. We don't just want to advise our clients well, we want to do so in a responsible and sustainable way. This lies at the heart of our business strategy.

'Responsible business' describes the way our firm delivers value to society, both by the way we manage our own business and by the lasting positive contribution we can make to our communities.

The need for us to be a responsible business has never been greater. Society places immense trust in businesses to 'do the right thing', and we must contribute to this. Increasingly our clients have similar expectations of their business partners and for many it is becoming a significant factor when deciding whether to work with us. And as a firm we have an obligation to our people to manage the business in a responsible and sustainable way.

Being a responsible business requires us to conduct our business ethically, securely and in an environmentally sensitive way, mitigating the impact we have on our world. It involves fostering a culture of respect, consideration and courtesy at the firm so that everyone feels comfortable to be themselves. It involves capitalising on our global reach and collaborative culture to make a positive contribution to society through pro bono, community and environment work. And it gives us the opportunity to support our clients with their own responsible business goals, further cementing our relationships with them.

To deliver this we have reshaped our responsible business activity around a strategic framework, built on our values, our history and inspired by Article 1 of the Universal Declaration of Human Rights (UDHR), which we have adopted as our guiding principle.

Why choose Article 1? Our business is the law, and as such we know the value of enforceable rights and the impact on individuals – and society as a whole – where these rights are not respected. We recognise our part in upholding these rights. Article 1 also articulates the principle of mutual respect which unites people despite their differences. It is right that it should guide our actions, as individuals and as a responsible business.

Being a truly responsible business is a point of differentiation and competitive advantage in challenging markets. It enables us to build stronger client relationships through mutual commitment to responsible business, to enhance our reputation, to differentiate ourselves from industry peers and to attract, retain and motivate our people. By approaching business in this way, we can honour our responsibility to leave the firm in better shape than when we found it.

Beyond that, being a responsible business is simply the right thing to do.

### *Article 1 of the United Nations Declaration of Human Rights:*

*'All humans are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.'*

# Our responsible business commitment

## Why

To leave the firm in better shape than we found it  
 To make a lasting difference to the communities in which we work by supporting **Access to Justice** and **Access to Opportunity**  
 And because it is simply the right thing to do

## What

 Provide access to the legal profession	 Provide access to education	 Offer routes to work	 Combat human trafficking	 Challenge discrimination
 Integrate ethics in business decisions	 Promote a risk aware culture	 Create a respectful, diverse and inclusive workplace	 Support clients' responsible business strategies	 Reduce our environmental impact

## Who

Our people	Women	Children	LGBT+
Refugees	Underprivileged and under-represented		Minorities

## How

Pro bono advice	Client advice	Diversity strategy	Volunteering
Thought leadership	Advocacy	Risk management	Environmental management

## Resulting in

A firm clients are proud to work with	A firm people are proud to work in	A firm valued by its communities
---------------------------------------	------------------------------------	----------------------------------

**A FIRM THAT IS SUSTAINABLE OVER THE LONG TERM**

Our responsible business (RB) strategy

***Our RB strategy draws its inspiration from three sources***

• **Our values**

We are a firm guided by our values. They reflect the global mind-set of our people, their ability to work together and be more than the sum of their parts, and their commitment to add value in everything they do. Our success will depend on us living these values and incorporating them into the way we work.

• **Our history**

For generations, partners have recognised their responsibility to build on the firm's long and prestigious history and leave it in better shape for the generations that follow. This commitment to the long-term success of the firm underpins our RB strategy. To be a sustainable business we need to be a responsible business.

• **Article 1 of the UDHR**

We have adopted Article 1 of the UDHR as our guiding principle, with its statement of freedom, equality and dignity of all people, and the importance of community. As a law firm we are well-placed to protect and promote the rights it enshrines and believe we have a duty to do so. Article 1 also articulates the principle of mutual respect.

***Two sides of the responsible business coin: how we run our business and how we contribute to society***

We can bring about change by looking at the responsible business practices and behaviours in our own business and by supporting the communities in which we operate. Our RB strategy sets out an overarching framework to guide our activity in respect of both.

- Within the firm, our focus is on how we run our business. Doing business ethically and with integrity must be part of our DNA. This includes our approach to client engagement, mandate acceptance and risk in general. We are committed to becoming a diverse organisation with an inclusive culture where each individual feels empowered to be themselves, and one that provides equal opportunities for development and promotion for all. We are also focused on reducing our environmental footprint.
- In terms of how we help others, our strategy identifies two limbs that play to our strengths as a global law firm and will enable us to have the biggest impact:
  - **access to justice** for those target groups whose rights and ability to access them cannot be taken for granted. We also support broader efforts of governments and the legal profession to improve access to justice, particularly for our target groups; and
  - **access to opportunity** for those who, for personal or societal reasons, do not have the opportunities to achieve their potential.

*'For me, 'responsible business' is shorthand for the way we should work if we want the firm to be successful over the long term.'*

Edward Braham, Senior Partner

### *A more focused approach to the mandates and projects we take on*

Using Article 1 as our starting point we have identified 10 focus areas that will determine what we take on and how we allocate our resources for maximum impact.

- **Integrating ethics in business decisions:** beyond legal and regulatory compliance, we seek to achieve the highest standards of ethics in our work and in our professional and business relationships. This includes our approach to client and mandate acceptance and the way we progress with our commitment to the United Nations Guiding Principles on Business and Human Rights (the Ruggie principles) into our work.
- **Supporting clients' responsible business strategies:** our commercial clients are increasingly mainstreaming their own responsible business activities in response to social, environmental and governance challenges and opportunities. We have the capacity to work with them in doing so.
- **Creating a diverse and inclusive workplace:** we know that being a diverse and inclusive business is critical to our future success. To achieve this we aim to have an approach to hiring, promotion and development opportunities that is welcoming and fair to all.
- **Promoting a risk-aware culture:** managing risk is a critical part of being a responsible and sustainable business. We are committed to making sure we all understand the risks we face and our role in making sure we work to the highest ethical standards. This includes a culture where people feel encouraged and protected to speak out where they see unethical or risky behaviour.
- **Combating human trafficking:** we will work to address instances, and support the victims, of human trafficking or modern slavery, which is the exploitation of humans, most commonly for the purpose of forced labour or sexual exploitation.
- **Challenging discrimination:** we will work to challenge discrimination and persecution on the grounds of gender, race or ethnicity, social background, faith or culture, disability, sexual orientation or gender identity.
- **Providing access to education:** we will work to support those who for personal or social circumstances are not able to access quality education, with a particular focus on secondary and tertiary education.
- **Providing access to the legal profession:** we will work to enable wider access to the legal profession, in particular for those groups who are under-represented in this field.
- **Offering routes to work:** we will work to support access to employment for those individuals who find it particularly difficult because of personal circumstances including past criminal convictions or homelessness.
- **Reducing our environmental impact:** although as a service organisation our environmental footprint is limited, it should not be ignored. We will seek to reduce our footprint by managing our water, waste, energy, travel and paper use in a responsible manner.

We have also made a long-term commitment to offset our carbon emissions.

***Our responsible business efforts will target specific groups to maximise our impact***

Our focus will be on benefiting the following groups which were chosen because we have developed thought-leading expertise and a significant track record in supporting them:

- women;
- children;
- refugees;
- the LGBT+ community;
- minority groups; and
- those who are both underprivileged and underrepresented.

Internally we are committed to all our people but, in line with the overall strategy, we will put particular focus on groups within the firm who fall into these target groups.

***To deliver on our strategy we will harness the skills of our people across the firm, working with and through a single responsible business team***

Success depends on our people being engaged with RB and relies on strong leadership and the support of the partners. Many already are actively involved in RB activities; and we are committed to building a culture whereby engagement and collaboration on responsible business projects is valued and encouraged at all levels of our organisation and in every location.

To amplify the impact we have, we will use our global experience and our relationships with clients, our communities (including as a leading graduate and non-graduate employer) and our suppliers. We can do this in a number of ways:

- **management practices:** managing our own business in the most ethical and responsible manner, for instance through our risk, diversity, procurement, recruitment and environmental practices;
- **client engagement:** working with clients to advance shared responsible business aims and to help them achieve their responsible business aims;
- **thought leadership:** working with the business community, policy-makers and educators to help develop thought leadership to advance best practice in responsible business globally;
- **advocacy:** taking strategic opportunities to advocate for key groups, where appropriate;
- **working for pro bono clients:** using our professional expertise to help charitable organisations working in our chosen focus areas maximise their impact;
- **volunteering:** giving employee time and resources to support such organisations; and

*‘In 2015–16 there were over 75,000 volunteering and pro bono hours recorded by lawyers and members of business services.’*



- **donations:** in addition to direct financial donations to organisations we support, our people make significant charitable contributions in their own right which the firm supports through a matched giving scheme. We also have a Disaster Response policy that provides matched giving support for natural disasters, and, potentially, humanitarian crises.

***Executing the strategy: channelling our energy to do fewer things better***

We will adopt a more rigorous approach to the projects we take on to ensure that we invest our efforts in themes and projects that:

- fit within our chosen focus areas;
- play to the strengths and skills of our firm and its people;
- have a positive effect on those we are seeking to help;
- reinforce our reputation for excellence, independence and integrity;
- have the potential to have greater impact over time as key relationships strengthen, our experience and expertise grows and we work with others to intensify our impact; and
- deliver value to the firm and its people.

Every new proposal will be evaluated against these criteria. We will allow around 20 per cent of our support to be available for projects that are outside the core strategy, allowing us some scope to take on or continue exceptional projects that are particularly compelling or have strong local relevance. We will be disciplined in evaluating the benefits of projects that fall within the 20 per cent exception.

As with all client work, there will be opportunities that play to our strengths as a global team and involve multiple ways of delivering real added value to our focus areas. We will look to identify a small number of signature programmes that involve the pro bono, diversity and community investment teams across the network and that are high impact in terms of positioning and making a difference. More generally, we will seek to work on an increasing proportion of projects that:

- can be developed across the firm rather than in just one country or office; and
- offer an opportunity to work collaboratively with clients and other strategic partners.



## Annex

### Examples of strategic responsible business projects

#### **1. The Freshfields Stephen Lawrence Scheme**

The Freshfields Stephen Lawrence scheme (the Scheme) is an example of thought leadership and how we can harness our experience and our relationships with universities, client companies and firms such as ours to potentially ‘change the colour’ of elite businesses and institutions in the UK and beyond.

We set up the Scheme to address the disproportionate under-representation in large commercial law firms of black men from low-income households. It is a UK-wide scheme aimed at first year university law students from this community nominated by their universities as exceptionally talented. Over 130 members of the London office (fee earners and non-fee earners) actively contribute to the Scheme’s recruitment, development programme and mentoring, with the London legal departments of our clients, Goldman Sachs and the Bank of England.

The Scheme has had a significant impact on the lives of the near 200 scholarship candidates and around 30 scholarship participants that have been involved. Freshfields has so far made three training contract offers to scholars, with four others being offered roles within Goldman Sachs, Deloitte and at a silver circle firm. All candidates are given valuable feedback, career guidance and insight into the profession.

But the potential of the Scheme goes far beyond the relatively small number of individuals it helps. It has shaped the thinking of universities across the UK in terms of social mobility, how they deliver on their own diversity and inclusion obligations and how they select and support students. It has had a significant impact on how we as a firm think about inclusion and has encouraged us to have far-reaching conversations about potential, difference and ‘who we are (or could be)’ as a community, which has in turn shaped our culture. The Scheme has also enabled us to strengthen client relationships with Goldman Sachs and the Bank of England, with whom we partner to deliver aspects of training.

We are now expanding the Scheme and are working with client partners to influence social mobility and provide access to a broader range of City professions.

#### **2. Offsetting our emissions through REAP (Freshfields’ Reforestation in East Africa Programme)**

REAP provides an example of how lateral thinking and a desire to add value has created a project which plays out on multiple fronts to support the wider community.

Freshfields has been carbon neutral since 2007 offsetting its emissions through various projects: biomass projects in China, Turkish wind farms, efficient cook-stoves and Lifestraw water purification (supplying clean water to communities in Kenya).

*‘In terms of diversity initiative in the legal profession, the scheme is the most innovative thing I have seen in the City.’*

Kyle Williams, managing director, Goldman Sachs Legal

In 2015 the firm made a commitment to remaining carbon neutral for the next 10 years. Rather than continue to do this through ad hoc programmes, it launched its offset project, Freshfields REAP. Freshfields REAP is a community reforestation project based in Kenya, Uganda and Tanzania. The project empowers small groups of subsistence farmers and aims to reverse the effects of deforestation, drought and famine.

Farmers are invited to join with neighbouring farmers to form small tree planting groups (clusters) and collectively plant trees on their farmland. Monthly small group meetings enable farmers to develop and share best practice. Training is provided on conservation farming methods, nursery development, agroforestry techniques and health education to support them attain a sustainable food source, encourage diversification of income and build capacity.

The firm's long-term commitment will enable 5,000 to 10,000 East African farmers to join the project, helping them create new sources of income through the planting of up to two million trees.

### **3. Save the Children: working across borders with a global charity**

Our relationship with Save the Children is an example of how our expertise across jurisdictions can be used to enhance the ability of leading charities to deliver positive change.

Save the Children is one of the biggest charities in the world, operating in over 120 countries with over 30,000 staff. Freshfields has been working with Save the Children across many of its countries of operation since 2009.

Freshfields has used its multi-jurisdictional expertise to address the complex legal needs of Save the Children. Our core skills complement Save the Children International's in-house legal team. Our support ranges from core corporate support to resolving disputes and being on hand to handle urgent queries on the Ebola crisis.

The work of Save the Children aligns strongly with our focus areas. Its central mission – to educate, protect, and care for children – resonates around the world, which is why this charity is supported by many of our offices as well as many of the firms we partner with across the globe. We don't just do Save the Children's most important legal work, we also try to understand what makes it work. We attend members' meetings and briefings, and host talks by members of its policy team. Its sole trainee is linked up to our trainee development team, and we are helping its lawyers expand their skills.

### **4. Flagship responsible business project – refugees**

In the past we have supported refugees in many of our offices, including young people in Calais from London and Paris, Latin American asylum seekers in New York and young refugees in DACEE and Hong Kong. Our current work already delivers on many aspects of the RB strategy including access to education and routes to work. We want to build on this work to increase the scope and number of beneficiaries, as well as engaging more staff in RB aims.

*'The support of Freshfields over the next 10 years shows a path toward reaching the 700 million farmers that require the support of a project like this. Freshfields' leadership is an important step toward developing sustainable, thriving communities that help heal their land, and are able to cope with the risks and impacts of climate change that we face as a global community.'*

Ben Henneke, Clean Air Action Corporation and founder of the programme

*'Save has a footprint in many countries and resulting complex legal needs. Freshfields has worked with us since 2009 and knows us intimately. We can trust it to understand us.'*

Clare Canning, general counsel of Save the Children International

In 2017 we will be launching a refugee programme which encourages each office to focus efforts around this target group in the way that fits best with their people and existing relationships. This may be by providing pro bono advice to individual refugees, community investment support for refugees in host countries, diversity input to support the recruitment of refugees or general support to refugee organisations.

[freshfields.com](http://freshfields.com)

The information and opinions contained in this document are not intended to be a comprehensive study, nor to provide legal advice, and should not be relied on or treated as a substitute for specific advice concerning individual situations. This document speaks as of its date and does not reflect any changes in law or practice after that date.

Freshfields Bruckhaus Deringer LLP is a limited liability partnership registered in England and Wales with registered number OC334789. It is authorised and regulated by the Solicitors Regulation Authority. For regulatory information please refer to [www.freshfields.com/support/legalnotice](http://www.freshfields.com/support/legalnotice).

A list of the members (and of the non-members who are designated as partners) of Freshfields Bruckhaus Deringer LLP is available for inspection at its registered office, 65 Fleet Street, London EC4Y 1HS. Any reference to a partner means a member, or a consultant or employee with equivalent standing and qualifications, of Freshfields Bruckhaus Deringer LLP or any of its affiliated firms or entities.

© Freshfields Bruckhaus Deringer LLP 2016