

Table of contents

Acknowledgements	7
Introduction	11
Part I: Purpose	23
1. Why are we here? Why defining purpose matters	25
2. Bigger than you and me: purpose and values	31
3. Simon Sinek: start with <i>why</i>	37
4. Purpose in practice	45
5. Purpose versus... purpose? The challenge of wearing two hats	55

6. **Case study: setting a meaningful and sustainable purpose – the Crown Estate** 65

Part II: Culture 83

7. **Why culture?** 85

8. **What creates a good corporate culture?** 97

9. **A sense of purpose and culture creation** 109

10. **Case study: the Pearson legal department – from Project Roadmap to Ethos** 117

Part III: Leadership 135

11. **Leading versus managing** 137

12. **The need for self-leadership** 143

13. **Lawyers and leadership** 149

14. **Servant leadership: lessons from the military** 169

15. **Leadership case studies** 181

Part IV: Talent 201

16. **The need for talent** 203

17. **In-house lawyers and the definition of talent** 213

18. **Putting talent to work: how lawyers work and how that is changing** 221

19. Whose talent is it anyway? Diversifying the workforce	231
20. Futureproofing: redefining talent and redefining expertise	239
21. Future talent: Schlumberger’s marriage of people, process and technology	247
Part V: Creativity	261
22. Business, creativity and the competitive edge	263
23. Creative cultures: freedom and discipline	269
24. Debunking the myths of creativity – or why anyone can be creative	279
25. Divergent thinking	283
26. A framework for thinking differently: legal design thinking	295
27. Tears in the rain: the lawyer/non-lawyer conundrum	301
28. Case study: playing with your head up – the Royal Bank of Scotland’s outsourcing, IP and technology legal team	305
Part VI: Collaboration	319
29. Working together	321
30. Internal collaboration	331
31. External collaboration	343

Part VII: Innovation	353
32. Innovation: starting with the right question	355
33. Theories of innovation	361
34. Why legal teams need to innovate – and how they can do so	373
35. Innovation strategy	379
36. Case study: DXC Technology – a new blueprint for legal teams	391
37. Conclusion	405
About the author	411
Index	413
About Globe Law and Business	[419]

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11. Leading versus managing

What is the difference between a leader and a manager? Is it just a matter of semantics or is it fundamental? In the military, the word 'manager' is never uttered; it's all about leadership. Leadership is aspirational and is essentially bigger than a role held by one person; it is also collaborative and is as much about other people as it is about the one individual who happens to be in charge.

As Maaïke de Bie, general counsel of EasyJet, defines it:

A manager is more task oriented. When you are a leader, it feels more important because it's about others. You look at the work and figure out who is best placed to do that. You are a coach, a mentor and a facilitator: the person who will go out there first and take the difficult step. You are a role model to a lot of people: everything you do and say is so important. It's about being humble about that and understanding that it is not you, it's that position.¹

1. “What got you here won’t get you there” – the need for new skills

The essential wisdom of this quote by Marshall Goldsmith² defines in six words the fraught relationship that many general counsel have with leadership. Leadership is something that many general counsel – and indeed, lawyers in general – struggle with and feel unprepared for. Many do not feel they have the adequate tools to become leaders. Others feel unsure and uncomfortable about leaving the role of lawyer behind and moving into a role that predominantly involves leadership and depends more on emotional intelligence than technical knowledge. They are aware that others in the C-suite may be MBA graduates and therefore have studied leadership in some form; whereas their own training will generally have focused purely on legal skills and will likely have continued to a narrower sphere of specialisation before they moved in-house.

There is a wealth of material out there on leadership – books, coaching and courses – but these goalposts are not stable, as the business world is constantly changing. Neither is there a ‘one size fits all’ template of a ‘good leader.’ What works in one organisation may not work in another and culture plays an incredibly important part here. Moving into leadership cannot be done in a way which is at odds with the essential culture of your organisation, unless you are planning to undertake a culture change programme. (In that case, a new style of leadership may be a defining factor.)

But establishing and developing your sense of self at work is a significant factor in developing yourself as a leader. Marshall Goldsmith’s seminal work on leadership, *What Got You Here Won’t Get You There*, essentially explores how to relocate this sense of self at work. This can undergo seismic shifts as your career evolves – even if those changes are positive, such as promotions. Goldsmith’s work, based on his extensive experience in coaching, considers how to hone your interpersonal skills to become the best leader you can be and explains how an authentic sense of self is a crucial part of that. This definition of ‘leadership’ is therefore very personal and defined by how relationships at work are handled, rather than some immutable conception of what a leader looks like.

But is concentrating on your authentic sense of self always helpful? What if, essentially, you feel that you cannot be an adequate leader? Herminia Ibarra of London Business School argues that rather than looking to personal insight, you need to develop ‘outsight’ – to some extent, fake it until you make it. Others such as Simon Sinek maintain that what leadership requires most is a focus on developing others and putting the experience and development of the team above all else – an idea based on the ‘servant leadership’ concept that is used in the military.

So how to know which of these theories will work best for you, in your environment? In this part of the book, I will discuss some of these theories with regard to the experiences and common problems faced by lawyers moving into leadership and look at how they can be practically applied for leadership success – however that is defined in your life and business.

2. The changing environment

The changing environment for leadership can refer to two different aspects. The first is that the business environment in which leadership now takes place is much more complex and changeable. The second is that theories of leadership are now much more cognisant of the complexity of factors that create leaders and the importance of relationships. Most contemporary leadership theory doesn’t focus on the idea that there are specific attributes or behaviours that will make a good leader no matter what. But this is a relatively novel approach – and the hangover from earlier ways of thinking can produce roadblocks for individuals as they move into leadership roles.

3. Moving on from old ideas – a timeline of leadership theories

The earliest theories of leadership, which were popularised during the 19th century, centred on Thomas Carlyle’s theory of the ‘great man’ (and, yes, they were usually men). In this theory, leadership is seen as something innate, giving rise to the idea of ‘natural’ leaders that persists today. Essentially, the theory goes that, irrespective of the situation or context, these individuals are so heroic and inspiring that they will naturally rise to the top of a group.

During the 1930s and 1940s – partly due to the rise of psychology as a discipline – the theory of traits-based leadership emerged. This highlighted a number of personality traits which, in certain combinations, would make for great leaders. Over many years, various studies have attempted to analyse whether there are certain qualities and characteristics that all great leaders share. However, the traits-based theories were based on sample sizes that were quite small and did not take into account cultural and contextual differences.

Although experts now consider these theories as unsophisticated and outmoded, the precepts can still affect how we view the idea of leadership – both within ourselves and in others. The notion of not being a natural leader or not having the right traits can be pervasive in women, for example (and is often an argument used against them). And indeed, I often hear lawyers who are moving into leadership question their innate suitability for the role. It would seem that the judgement of effective leadership and leadership potential is often still based on rather superficial elements. In a widely shared *Harvard Business Review* article of 2013 and subsequent book, Tomas Chamorro-Premuzic posed the question: “Why Do So Many Incompetent Men Become Leaders?”³ The answer, he suggests, is that leadership is too often conflated with superficial traits such as confidence, rather than the skills that actually make great leaders in terms of measurable outcomes. Instead, successful ‘leaders’ project a myth of leadership confidence – one which they themselves may believe. This echoes many of the ideas in Goldsmith’s work. Goldsmith analyses a number of case studies which show that many leaders become over-enamoured with their own mythology and perceived success, and lose the all-important relationships and communication with their colleagues and teams.

The behavioural theories of the 1950s started to look more at what leaders *did* rather than who they were or what innate qualities they had. These theories also started to consider the relationship between the leader and others. In the 1960s, this led to more contingency-based theories that suggested that there is no ‘one size fits all’ theory of leadership success; rather, success is contingent on a number of factors, including the context of the organisation and the relationships in teams.

What both of these theories introduced to the equation is the notion that anyone can become a leader with the right training and development.

The 1970s saw the introduction of even more relationship-focused leadership theories. The transactional theory posited that leadership success is based on a mutually beneficial exchange between a leader and his or her team. In transactional theories, to be effective – and as a result, have motivational value – a leader must find a means to adequately reward (or punish) his or her followers for performing (or not) leader-assigned tasks. In other words, transactional leaders are most efficient when they develop a mutually reinforcing environment where the individual and the organisational goals are in sync.

Around this time, the notion of the transformational leader also came into vogue. The essence of transformational leadership is that a leader is charismatic and inspires a solid relationship with his or her followers, based on trust.

In recent years, leadership thinking has evolved to posit that the role of the follower is key to the role of the successful leader. This has also placed a greater focus on consensus-driven decision making and empowerment of teams. Also layered into the mix is a recognition that continuous learning is needed throughout one's professional life, and that the leader is not the one with all the answers.

Leadership coach Alex Lazarus suggests that when you layer in the increased complexity of the modern business environment, self-leadership is key.⁴ For leaders, the message is: know thyself before you can be fit to lead. For Lazarus, this involves creating a culture at work that enables other people to think creatively, beyond the existing expert knowledge:

This is especially pertinent in today's dynamic marketplace, which shortens the lifespan of what we define as 'expertise', when new business models and technological developments are popping up in all sectors. We are also tapping much more these days into the worldview and the wisdom of young people: with knowledge being increasingly

democratised and access to education made easier in the history of humankind, we are seeing that young people have raised the bar on an innovative and agile mindset. This calls upon senior leaders to adopt and inspire in others what I call the ‘inner game of entrepreneurs’, whose raison d’être is to challenge the norm. What we can learn from them is to embrace the paradigm shift from highly esteemed 20th century ‘know-how’, with all its status and hierarchical rituals, to today’s ‘learn-how’ and being an EFTO (expert on finding things out).

Our leadership style is a significant determinant as to whether we foster that curiosity in others, explains Lazarus: “If we do, it turns into a business advantage, as people will be empowered to make leaps in their thinking, make incremental improvements with continual innovation and place creative problem-solving at the heart of their organisation. Is it easy? Not always. Leaders who have a good grasp of human psychology and make everyone feel that they are their thinking partners lead the way.”

Meanwhile, the maxim “Leader, know thyself” links to research that proves that self-awareness and emotional intelligence are hallmarks of successful leaders. According to Lazarus:

Leaders should demonstrate the ability to evolve and share with their team examples of how their own moments of growth led them to make better decisions. Essentially, it’s about inviting others into your thinking space – people are inspired, and some feel even honoured and valued, by leaders who openly reflect stories of their mistakes and share practical examples of what they will do differently next time as a result.

But do lawyers face particular challenges in getting to grips with leadership, whether of themselves or others?

Notes

- 1 Interview with the author, December 2019.
- 2 Marshall Goldsmith, *What Got You Here Won’t Get You There: How Successful People Become Even More Successful* (Profile Books 2010).
- 3 Tomas Chamorro-Premuzic, “Why Do So Many Incompetent Men Become Leaders?” *Harvard Business Review*, 22 August 2013, <https://hbr.org/2013/08/why-do-so-many-incompetent-men>; and Tomas Chamorro-Premuzic, *Why Do So Many Incompetent Men Become Leaders?* (Harvard Business Review Press 2019).
- 4 Interview with the author, October 2019.

Business Thinking in Practice for In-house Counsel

Taking Your Seat at the Table

Catherine McGregor

Many of the innovations and ideas that legal teams need to embrace – such as those relating to project management and use of technology – have already evolved within the wider business environment. Despite this, many general counsel and other legal leaders report that they feel unprepared to tackle key business challenges and concepts.

This practical and insightful book explores key concepts from influential business theory and illustrates how these are applicable to managing or working in an in-house legal department.

Topics covered include purpose, culture, leadership, talent, creativity, collaboration and innovation, all of which intersect to provide the structure and framework for legal teams to create a competitive edge. Chapters feature interviews and case studies with general counsel and legal teams to demonstrate how business concepts can be used in-house most effectively.

The author, Catherine McGregor, has engaged with the in-house legal market for many years as a journalist, consultant and commentator. During this time she has built close relationships with leading general counsel around the world and has observed first hand how the role of general counsel has changed and continues to change.

Business Thinking in Practice for In-house Counsel is packed with lots of real-life examples and makes essential reading for any general counsel or senior in-house lawyer seeking to develop their business skills and maximise their team's success.



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