

The business of chambers and how to invest for success



How to compete? Members' success can hinge on practice staff 'getting it right' and, preferably, being better than your competitors' team. So soft skills training makes sound sense

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Despite the unique nature of the Bar and the independence of self-employed barristers' practices, barristers' chambers increasingly acknowledge that they benefit from operating in accordance with common, sound business principles. Collective revenue needs to be found to pay for the services provided to and on behalf of its members, and competition for work exists both for individuals and for sets, and this competition operates in a free market. The degree to which chambers compete and the cost of competition can be affected by many influences, some specific to the Bar, but just being 'in competition' is one factor which this sector holds in common with all commercial business.

There are lots of ways of competing as a business. If you are a manufacturer you can invest in bigger and better machines than your contemporaries. If you are a wholesaler, you

can invest in bigger warehouses and better delivery processes. But what if you are a set of barristers' chambers?

IT'S A PEOPLE BUSINESS

There are two obvious areas in which chambers can invest in order to gain a competitive advantage: the level and quality of counsel and the level and quality of the staff who are tasked to help develop their members' practices and sell the services of chambers to clients.

The traditional talent pool from which chambers find good clerks, or practice managers, has been built-up over several years, although the pool is widening. Most have not come from a strong academic background, with chambers relying a great deal on their 'learning on the job'. There is a recognition that clerks' valued skills of running the business's day-to-day practice-management functions and increasing chambers' revenue do not

Where to start? Ask yourself:

1. Who leads on training in your management team?
2. Is the development of staff and members addressed in your chambers' strategy?
3. Is training a set item for discussion in staff performance reviews and members' practice reviews?
4. Do you have a structured and funded development programme?
5. When was training of any sort last discussed by your chambers' management committee?
6. Is it time to talk to a training and coaching consultant who can review your chambers' development needs, and start shaping your future?

necessarily come from something you gain in formal education. A high level of academic attainment is, of course, certainly no impediment to a career as a clerk, but nor is it a prerequisite. The ability of practice staff to engage with all types of clients (and barristers), and to have the appropriate task-related conceptual skills and business-development acumen, is key to chambers' sustainable success. These 'soft skills' do not tend to emerge from formal education but can be learnt and improved through focused development training and coaching, which builds upon practical experience. As individual staff take on increased management and other business responsibilities, they also rely upon training and coaching, defined for their specific role, to help them achieve optimal performance.

The success of the members of chambers therefore relies on the practice staff 'getting it right' and, preferably, being better than your competitors. Surely all members of chambers want the best possible practice support, and the very best clerks' room for their money. Don't they?

HOW DO YOU GET THE BEST?

You will recruit your clerking team in a number of ways. First, you will want to recruit the best candidates at the 'starter' level of junior clerk, who you think not only can effectively carry out the functions of that job but also have the potential to develop over time into good practice managers. You will then fill roles within your clerking structure either by promoting from within or by recruiting from another set – and maybe bringing back someone who used to work in your clerks' team. The option of external recruitment can provide a quick fix, especially if your own clerks are not quite at the right stage to fill the role, but, at the point the next clerk arrives, you are only getting as good as the other set has managed to develop, over which you have had no control. That new recruit will almost certainly require some further training (and experience) in order to begin operating at the level you expect in your set. And if you only ever recruit from outside rather than promote from within, you run the very real risk of demotivating aspiring talent inside your own set.

Whichever options you choose (and you'll almost certainly use a mixture of them all), in order to have the best team and get the most benefit from chambers' investment in building its business, you should be looking to develop your staff to the highest standards and to instil an ethos of continuous improvement, in which every clerk is skilled and confident in their own role and able to deputise for their boss – and wants to get that job when the time is right.

In this type of environment, you will find that your clerks are focused, motivated and feel valued and empowered – a contributor to the strategic

direction that chambers is following – and that is a recipe for success, leading to increased revenue.

'IF YOU TRAIN THEM, THEY WILL LEAVE'

An outdated and cynical way of looking at staff development was often 'if we invest in their personal development, they will leave.' The reality is, if you have the focused, motivated and valued clerks' room we referred to just now, people won't want to leave – they'll want to progress. The reality is also, if someone has a great working experience in your set but needs to move elsewhere to progress at that specific time, they'll want to come back to you when they are ready for their next step. (Don't think that someone must work for you throughout their entire career!)

And the last bit of reality to emphasise is the very serious downside of *not* investing in the development of your staff: they are going to feel demotivated and undervalued. That's an environment in which people look always to the next work-break, the end of the day, and the job offer to release them from their current treadmill.

IT'S A BUSINESS CHOICE

So, training your staff can give you the following benefits:

- Staff retention – talent feeling valued and motivated.
- Increased output – a more efficient team, giving a better return for chambers' cost.
- Chambers' growth and sustainability – more highly skilled business developers, bringing greater revenue into chambers.
- Increased competitiveness – higher-quality staff than your competitors.

But effective training cannot be an ad hoc arrangement; it has to be designed in a structured development programme, and therefore analysing and allocating a training budget for chambers is a business choice in the same way as for any other form of expenditure. The benefits described above enable you to compete harder in your market and provide the best possible support for your members; surely providing a properly funded training programme represents a sound business investment.

HOW ELSE ARE YOU GOING TO DEVELOP?

All businesses face constant change and need to adapt to meet those changes, and the Bar is no exception. Training and development of chambers' staff, and their members, are crucial to maintain your competitive edge and assure longevity in the legal market.

In any business environment, you have two choices: do nothing and let the future happen to you; or invest in your talent and start to make the future work for you. ●



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