

Responsibility

Helping business leaders to prepare for the future, foster a positive culture, address governance issues and lead responsibly



Responsibility

DWF work in partnership with leadership teams to help foster a positive culture in a changing society and ensure their business is engaged effectively on its brand values and reputation, with a focus on leading ethically and working collaboratively to deliver sustainability goals.

There is an increased stakeholder interest in how and where organisations do business, who they do business with and the level of ambition and action to integrate and manage ESG (Environment, Social and Governance) risks. Committing to and implementing a responsible, authentic, social and environmental strategy is key. Integral to this goal is workplace culture, addressing governance issues and leading a business responsibly. It is essential for leaders to create an inclusive and prosperous environment for their employees, customers, suppliers, shareholders, investors and communities.

A leader's legal and ethical duties of ensuring that their business and employees act in a responsible and

accountable manner are now a commercial imperative. Working for an organisation with a genuine commitment to a value-led purpose and conscience is an increasingly important prerequisite for top talent. Added to that, brand damage and personal liability is increasingly common where businesses fail to address ethical behaviour.

Our highly skilled multi-disciplinary Responsibility team brings together expertise from a range of areas. From carrying out global D&I investigations to highly complex data breach cases, from dealing with government investigations and directors duties to implementing energy strategies that exceed obligations and standards - we are confident that we can help your senior leadership team fulfil their ESG responsibilities.

Our purpose at DWF is to, deliver positive outcomes with our colleagues, clients and communities, through Responsibility we work with our clients towards this objective.

Leadership programme modules



The social agenda

- Changing social & cultural norms
- Bullying and harassment
- Banter
- Courageous bystander
- Unconscious bias
- Mental health & stress
- Whistleblowing
- Neurodiversity
- The impact of leaders
- Pay gaps
- Board composition and remuneration



The rise of ethical governance

- Complying with director duties
- Simplifying the regulatory landscape
- Managing your labour supply
- Data privacy and cyber-security
- Managing your supply chain



The environmental imperative

- Net zero carbon targets/obligations
- Emissions reporting
- Energy security
- Cost reduction
- Waste and packaging management

How does it work?

As the world adapts to a new normal, business leaders are facing significant challenges. Adopting a values led culture that is both alert and responsive to the challenges and opportunities of doing business responsibly and sustainably is of paramount importance.

Following a review of your business and the risks you are facing or anticipate in the future we will help you build and deliver a tailored, educational and transformational programme. From fostering a positive culture following COVID-19 to ensuring adherence to corporate governance controls, building back better and responding to environmental concerns, we will provide clear guidance on your responsibilities.

Through our educational and ambassador programme we work with boards, senior leadership teams, global and specialist teams and individuals focusing on the material responsibilities of organisations and the focus they should have for the future. Our sessions are led by a team of ESG specialists providing relevant and tailored guidance putting commitment into action.

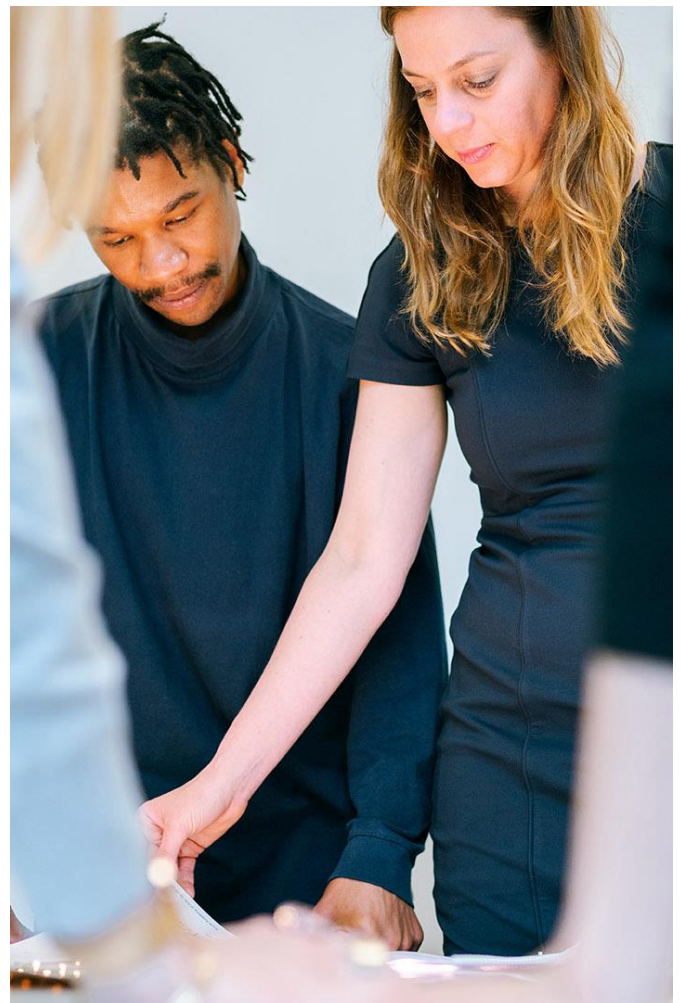
Our programmes are interactive, engaging and informative, using key technology to engage and provide real time insights into the key challenges faced.

The bespoke sessions focus on the legal and (where relevant) regulatory parameters within the changing environment. Additionally we facilitate discussions on the rise of different leadership skills, including tone from the top, empathy and driving purpose.

“The DWF training developed for our Board and Executive Committee has provided our leaders with the knowledge they need about the legal environment and changing social norms. They are now equipped to have discussions around talent and culture, to provide the required challenge and to hold themselves and others accountable...”

Lloyd's of London

Get in touch with a member of the DWF Responsibility leadership team to discuss a model and pricing which will work for your business, contact details can be found on Page 10.



Leadership programme

We operate responsibly in line with your purpose and values and focus on creating a sustainable business that is both diverse and inclusive. We tailor your education programme and strategy workshops to your needs, below are examples of some of the themes and issues you can choose to cover.



The social agenda:

Changing social and cultural norms

- What are the fundamental changes and how have business adapted to the new landscape?
- How have businesses adapted to the radical changes resulting from the pandemic? What working practices are here to stay?
- A snapshot of a business: 50 years ago, today, in the future. What have we learned?

Bullying and harassment and the impact of business

- What is the legal impact of the #MeToo / Black Lives Matter campaigns?
- What role can senior leaders play?
- What does the future of non-disclosure agreements (NDAs) look like? When can NDAs be used?

Banter

- Is banter prevalent in your industry and what is the legal impact?
- When does banter go too far?

Courageous bystander

- How can you empower your workforce to be courageous bystanders?
- What are the legal parameters?
- What response has there been to Black Lives Matters? How are employers reacting?

Unconscious bias

- What is unconscious bias and what is the impact on business?
- How does unconscious bias relate to culture?
- How can your leadership help turn the dial on biases within the organisation?

Mental health and stress

- What are the legal obligations as an employer in regards to looking after mental health?
- What action can leaders take to address mental health issues resulting from the pandemic?

Whistleblowing

- Why is whistleblowing on the rise?
- What reform is on the horizon and what does this mean for employers?
- How can responsible leaders ensure a culture that supports and empowers workers to speak up is fostered?

Neurodiversity

- How can you manage and empower employees with a neurodifference?
- How can you maximise the potential of your neurodiverse talent?
- What are the legal obligations under the Equality Act 2010 and how are cases being decided?

The impact of leaders

- What is the impact of leaders and how can they develop core strategies to maintain a positive and prosperous environment?
- What steps can employers take to implement a positive culture?

Gender pay gap/equal pay

- Have you considered gender pay in your business's sector? What is the gap? Is there an explanation?
- Have you thought about the gender pay gap in your business? What can be done to tackle the gap? Is there a risk of equal pay claims?

Ethnicity and disability pay gap

- Have you considered your ethnicity pay gap? Have you considered your disability pay gap?
- What legal obligations are there to report?
- What can be done to help tackle any gaps identified?

Board composition and remuneration

- What are the legal parameters surrounding diversity targets on boards?
- How do the targets work in practice to create diversity and drive accountability?
- What corporate governance requirements are there with regard to diversity on boards?
- What is the latest position on linking executive pay to environmental targets? What are the legal parameters? What impact does this have on stakeholder engagement?



The rise of ethical governance Complying with director duties:

Meeting statutory duties

- In the context of leadership and culture what are the primary obligations for a director?
- What legislative requirements are there for directors?
- What are the consequences if a director fails to fulfil their duties?
- What does the changing tax landscape look like? Have you considered joint and several liability for tax avoidance; failure to prevent the facilitation of tax evasion; tax policies and obligations of senior accounting officers?

Director responsibilities

- What is the legislation framework surrounding anti-bribery and corruption? What are the key responsibilities and liabilities a director needs to be aware of?
- What are the key director responsibilities with regard to health and safety?
- How should directors identify and handle conflicts of interest?
- What powers do directors have in their role?
- How should directors approach delegation of authority?
- When acting on subsidiary boards across the globe, how can directors be confident of their duties and responsibilities?

Protection from personal liability

- When might a director be personally liable?
- How can directors protect themselves from personal liability?

Tax obligations

- What are the key tax obligations which directors should be aware of?
- What are the consequences of getting it wrong?

Simplifying the regulatory landscape:

Dealing with specific regulated industry needs

- How should regulatory internal investigations be conducted?
- What (if any) regulatory notifications are required and how should regulatory enquiries into the organisation's systems and controls be managed?
- How can businesses prioritise conduct and culture within the regulatory framework?

Financial services accountability regimes

- Have accountable individuals been trained on conduct risk?
- Have emerging conduct risks been assessed in light of the change to the working environment where the majority of employees are working remotely? What actions have the relevant accountable individuals taken in light of this assessment?
- Have accountable individuals been trained on the importance of encouraging a 'speak up' culture?
- What actions are being taken to encourage a 'speak up' culture?
- Are adequate whistleblowing policies and procedures in place? Are these periodically reviewed to cater for an ever-changing working environment in which a large proportion of employees are working remotely?

Crisis management

- Are you ready in the event of a business crisis?
- Do you have an understanding of the potential impact that comms may have on reputational risk?
- Should you consider the emerging pressure for candour?

Government investigations and scrutiny

- When might an organisation be subject to government investigations and scrutiny?
- What are the potential consequences?

Undercover media investigations

- What is an undercover media investigation?
- How can a business protect itself from such an investigation?

Covid-19

COVID has put health and safety at the forefront of our minds.

- How are you balancing social responsibility with legal obligations?
- Are you set up to reflect the ever changing requirements?
- Do your risk assessments and processes really reflect the business?
- Are you acting on audits and other data received?
- How will you manage flu and other winter illnesses?



Managing your labour supply

A-typical workers Employment status

- What is the employment status of your workforce?
- Why is employment status so significant and what is the latest position?

Tax implications of employment status

- What impact does employment status have on the tax position of your workforce?
- What are the rules, the risks and your obligations?

Zero hours

- What does the future hold for zero hours contracts?
- Are we likely to see legislative change?

Agency workers

- What is the latest legal position with regard to agency workers?
- Can we expect further changes?
- How can employers remain compliant?

Minimum wage

- What are the legislative requirements and what are the common problem areas employers are facing?
- As employers adapt new business models in the changing world, how can they ensure minimum wage legislation is complied with?
- What are the consequences of a technical breach?
- What approach is taken to enforcement?
- How can employers avoid the pitfalls?



Data privacy and cyber-security

Data breach

- How confident are you in your incident response and data breach planning?
- Do you know how to identify a personal data breach, assess its severity and respond in a way that sets immediate risk reduction priorities ensuring an overarching strategy is in place?
- Do you know what you should do during the 'golden hours' to assess risk, mitigate harm, maximise protection of legal privilege and engage the correct specialist partners?
- What strategic advice and leadership will you need in relation to all aspects of short and longer term responses (from incident containment to connected regulatory investigations and commercial and civil litigation)?
- Do you know the regulatory requirements that you need to meet across the jurisdictions you operate in?

Privacy transformation

- Have you assessed your organisation's operational and legal risk and resilience levels for data protection and cyber security?
- How confident are your key business personnel in your organisation's approach to data protection and cyber security?
- Have you considered your 'Special Characteristics' as an organisation and applied an 'Adverse Scrutiny' test to deliver risk based, proportionate and manageable privacy change and to set your privacy strategy?
- Is data protection inhibiting or putting parts of your business at risk, e.g. in the context of marketing, the deployment or building of new technologies or the sharing of data for projects?
- Does your approach to data protection help to realise the benefits of the data you hold, reduce inefficiencies, address risks or develop new or updated operating models for data protection in your business?

GDPR

- What does GDPR mean for a senior leader? Are GDPR risks being identified and reported on in a way that is accessible to and resonates with senior leadership?
- What are the principal considerations for employers and what practical steps can employers take to remain GDPR compliant?
- What are the key GDPR requirements that impact your business and how should you address them?
- How do you handle data subject access requests on scale or in contentious situations?



Managing your supply chain

Modern slavery and your labour supply chain

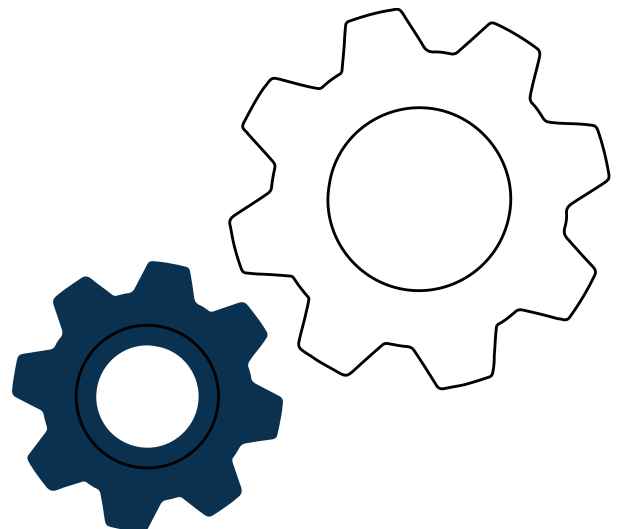
- What are director responsibilities in relation to modern slavery?
- What laws must business leaders be aware of?
- What are the current practical matters within the business?
- Is there an existing awareness of your organisation's policies and adherence to them?

Ethical and sustainable supply chain

- Are you complying with industry codes of practice?
- Do you know what is happening in your supply chain? What practices are being applied, where they are sourcing what becomes your product from?
- If you are claiming to be green, organic, sustainable, are you applying any approved marks?
- Can you substantiate the claims that you make?
- Does Brexit change your buying and supply chain?
- Are you treating suppliers fairly?

Circular economy & environmental impact

- Have you thought about every stage of a product's life?
- Are you keeping up with changing eco-design requirements and obligation to provide information?
- Are there business opportunities from waste products?
- Will there be impacts from future restrictions on product components?





The environmental imperative

Net zero targets/obligations

- How familiar are you with your legal obligations in connection with emissions, use and management of your energy requirements?
- Do you consider the energy security of your business and its operations when setting and implementing your energy strategy?
- Are there ways in which you could adopt a different energy use and demand strategy to help your business become more sustainable?
- What are your competitor and peers already doing?
- How does your energy strategy influence customer/client choice in your products/services?
- Can you increase customer uptake/customer base by adopting a visible drive to net zero carbon activities?

Emissions reporting

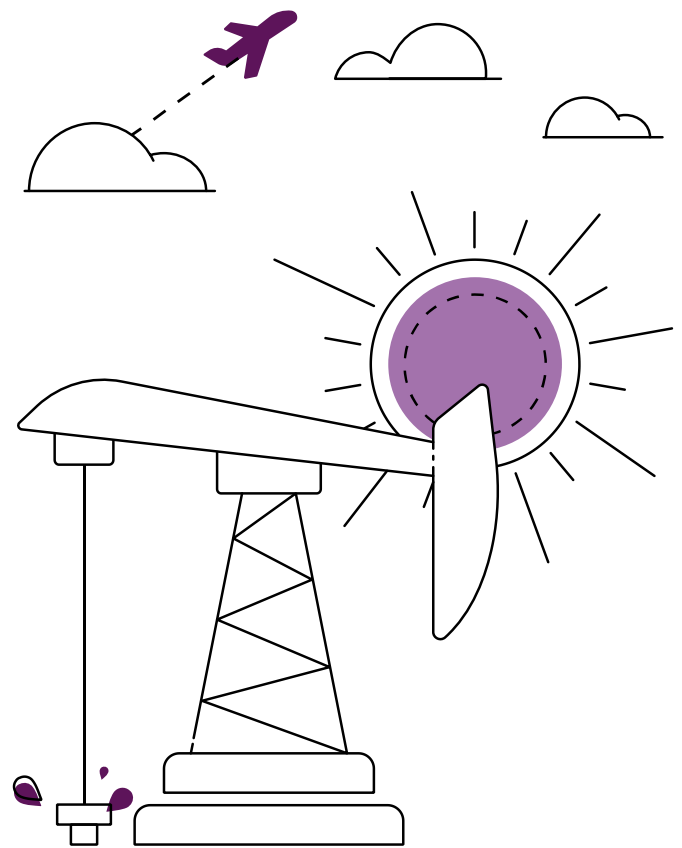
- Have you assessed what your reporting obligations are now and how they are likely to adapt in the near to long-terms?
- What opportunities are there for your business with initiatives associated with carbon reporting and carbon trading?

Energy security/cost reduction

- Self-sufficiency and energy security could play a huge part of your future business strategy – What initiatives are available and how can current and future technological developments assist your business?
- Decentralised and embedded generation or long-term corporate or private wire power purchase agreements could help to mitigate the impact on your business from the arbitrage of the retail electricity markets.
- How much less could you be paying for your heat and power needs?
- Could off-balance sheet capital investment options provide your business with access to new and developing energy technologies and reduce your energy costs?

Waste and packaging management

- Have you considered that your current waste streams could become a valuable asset by transforming it into a feedstock for low carbon energy generation?
- Could you reduce your reliance on landfill and other waste disposal options?
- What packaging reduction options are available? Could recycling and re-use be implemented into your business?
- Are you compliant with packaging reduction and deposit return scheme requirements now and to be implemented?



Responsibility leadership team



Contacts



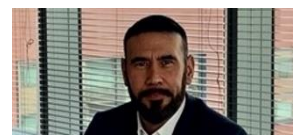
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