



TYLER WILSON

WHAT'S THE OFFICE FOR?

A VIEWPOINT FOR AND AGAINST WORKING FROM HOME

“It’s easy to characterise hybrid working as a simple tug-of-war between workers and bosses, leavening the analysis with self-serving anecdotes but glossing over the complexities of the debate. By now, most people have chosen their camp; the priority for law firm leaders may be to reappraise the position from which they instinctively recoil.

In this Viewpoint, we weigh the issues for and against working from home.”



FOR

On the face of it, there are few kinds of work and worker better suited to working from home than law and lawyers. It is a well-paid profession, so the homes in question are likely, mostly, to have space for an office of sorts and the technology needed to connect it to the firm's systems. According to psychologists, lawyers are more likely than not to have introverted tendencies, making them well-suited to working in a calm and solitary environment, such as home. And the work itself, whilst varying according to specialty, generally involves multiple versions of reading and writing, mixed with thinking, all of which can be done in units of one. Even when legal business is transacted in teams, such as major transactions or disputes, the work is commonly dived into individual chunks.

On top of this list of pluses, there are other excellent reasons to do with health and safety. Many people understandably don't relish travelling to the office because they risk infection both *in transit* and *in situ*; more than one third of people now extend this to colds and flu as well as Covid, according to the latest ONS research. Why risk sharing indoor space with colleagues whose right to data privacy entitles them not to tell you whether their prophylactic regime is up to date for vaccinations, booster shots or lateral flow tests? If a risk management strategy can't inhibit the spreaders of infection, how can it be adequate?

Finally, and most emphatically, it seems churlish not to allow WFH to become a right rather than a privilege when a lawyer's lot already entails a sort of always-on availability. The transparency of time sheets is enough to discourage any shirking; what is wanted is not *carte blanche* to mash up the recreational with the occupational, just a little breathing space to smell the roses while working the soil. This is why WFH has so much pulling power as a recruitment tool: it saves on office costs, loses nothing in billable time, and keeps the spinning plates of work and life in balance. It's a model so compelling, it begs the question why firms need an office at all.

AGAINST

On the other side of the ledger, there is evidence that WFH is a protest song sung most lustily by those with childcare responsibilities, with a choral imbalance that should set alarm bells ringing. Let's just say that some find the office a welcome respite from family responsibilities; and others find that co-location eases the challenge of serving both masters. Those who choose WFH will not expect their careers to suffer as a result, yet that is precisely what may happen: it creates the risk of becoming invisible when exciting or urgent projects arrive, when queries need answering, when feedback is wanted, in meetings and, most of all, when distress signals are being emitted. Ironically, this could mean that it is both

discriminatory to deny those with childcare responsibilities (primarily mothers) the right to work remotely, and discriminatory to let them – unless a concerted effort is made to equalise any kind of disadvantage to which they might be exposed. This is unlikely just to be FOMO: be prepared for claims that your sparsely-staffed office has reverted to a bastion of male privilege and preference.

As for the debates about mental and physical wellbeing, let's not forget the many for whom the threat lurks principally at home – in isolation or in company – and who yearn to escape their domestic incarceration. Beyond this cohort, there are others whose self-esteem is inextricably bound up in the status of their role – and, by association, that of their employer – which they might feel is demonstrated to much greater effect by a steel and glass structure than it is by a cottage kitchen or man-shed. What can replace the corner office, free chai lattes, power dressing and late-night taxis as high-scoring commodities? Do firms really intend to sell their art, decommission their entertaining suites and renounce all other fungible tokens of prosperity and good taste? Not if they fear a status downgrade.

If law firms splinter into virtual silos, they might become less healthy places to work. Only in the office do intense personal rivalries soften through mutual reliance. Only in the office do you get the buzz from others that you need to make it through an all-nighter. Only in the office are there people who understand what makes it so agonising, and yet so necessary, that you will miss that fancy dinner, that long-booked city break or the kids' third bathtime in a row. Only in the office is the weight on your shoulders really understood for the toll it exacts. Only in the office do the non-fiscal benefits of partnership make their value fully appreciable.

Sometimes, an expected change gives way to another because, in the first movement of parts, something precious is uncovered that was barely noticed before. Offices can be vibrant, stimulating and even enjoyable places to work; when attendance is spread out to ensure 'cover', these benefits will be less apparent. By requiring everyone to be in regular attendance together, firms will be expressing renewed confidence in their strengths as communities, rather than as a network of solitary satellites.

The modern office was never supposed to be a battery farm that would compare badly with its free-range counterpart. Let home take over as the default place of work if you want to be a 'virtual' firm. If not, call everyone in so that you can restore the office's function as a cathedral to partnership, to high status, shared values, shared goals and shared successes – a place where work comes to life as well as life comes to work.



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