



Marks & Clerk LLP 2018

Gender pay gap report

Marks&Clerk

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Marks & Clerk is a leading firm of Patent and Trade Mark attorneys in the UK with over 340 employees and 50 Partners across 8 UK offices. We value diversity and believe in meritocracy. Our clients enjoy a comprehensive service tailored to their individual needs, and this is best achieved by harnessing the diverse range of skills, experience and ideas from all of our people.

Understanding gender pay and bonus gaps

Gender pay gap shows the difference in average hourly earnings between men and women within the organisation, regardless of seniority, experience and other differences in job roles. The difference is expressed as a percentage of men's earnings. Like many professional services organisations, our gender pay gap is largely due to the types of job roles undertaken by men and women. Whilst we value all employees, we recognise that different jobs attract different levels of remuneration.

Fee earners at Marks & Clerk make up the majority of our more highly paid employees. Since these roles require a high level of qualification and expertise, they command higher remuneration. Most of our fee earners work with patents and require a STEM (Science, Technology, Engineering and Mathematics) degree – 74% of STEM graduates are men and just 26% are women¹. As such, ensuring complete gender parity in our upper pay quartile presents a problem for us which mainstream legal firms do not have (because women constitute a much higher proportion of UK law graduates). At Marks & Clerk, we try to achieve a more even balance than the STEM graduate percentage, and are pleased to report that 40% of our fee earners are women (whereas women make up only 22% of the core STEM workforce²), and women make up 36.1% of our upper pay quartile.

Across UK society, more women than men tend to undertake administrative jobs which typically attract a lower level of pay. This is reflected at Marks & Clerk, where a significant proportion of our workforce is made up of administrative roles, and the majority of incumbents in these roles are women. This is a key contributor to our gender pay gap. Additionally, administrative jobs tend not to attract bonus payments and this contributes to our gender bonus gap, although when we compare men and women in roles that do attract bonus payments, we are pleased to report that a comparable number of men and women receive bonuses.

Part-time working can impact the gender bonus gap: pay gap figures use hourly pay rates, but bonus gap figures represent the actual sums paid. We fully support those who wish to work part-time. 9.5% of our total workforce is part-time, almost all of whom are women. As people working part-time receive pro-rated bonus amounts, this inevitably impacts on our bonus pay gap. Nonetheless, we endeavour to ensure that career progression is not limited by part-time working: 41.1% of our part-time workers are in our upper pay quartiles.

Separate to gender pay gap statistics, equal pay considers whether different people (for example men and women) who perform similar work, or work of equal value in the same organisation, receive equal pay. We monitor pay at all levels, are firmly committed to equal pay, and we are confident that men and women are paid equally for undertaking equivalent work at Marks & Clerk.

1, 2 The WISE campaign for gender balance in science, technology and engineering

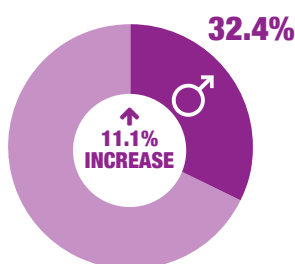
Gender pay and bonus gaps, and pay quartiles

The table below shows our mean and median gender pay and bonus gaps. The pay element looks at data from 5 April 2018, and the bonus element looks at data from the 12 months up to 5 April 2018. As we are one of the smaller businesses required to report, changes in our population such as joiners, leavers and promotions can make a noticeable difference to our pay gap data. Since 2017 we have made progress in some areas, but we recognise that further change is needed:

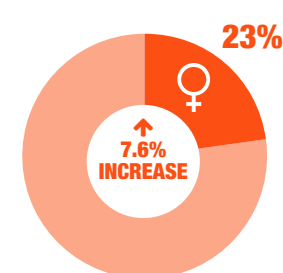
	Mean	Mean change since 2017	Median	Median change since 2017
Gender pay gap	26.8%	1% increase ↑	30%	3.1% increase ↑
Gender bonus gap	47.4%	5.8% decrease ↓	50%	23.1% decrease ↓

The figures below show the percentage of men and women who received a bonus payment during the reporting period. We made more bonus payments to both men and women under the established fee earner bonus scheme, and more discretionary support staff bonus payments in 2018 than in 2017.

Percentage of males receiving a bonus



Percentage of females receiving a bonus



The table below shows how many men and women were in each quartile of the payroll. This is reflective of the fact that we have more men than women in higher paid fee earning roles, and more women than men in lower paid administrative roles.

Gender	Lower	Lower Middle	Upper Middle	Upper
Men	15.5%	40.5%	47.6%	63.9%
Women	84.5%	59.5%	52.4%	36.1%

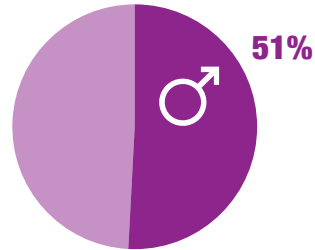
A more detailed analysis

By undertaking a more detailed analysis, using the same data as was used for the gender pay gap calculations, we see a much more balanced picture when comparing, for example, comparable fee earning employees at various stages of their careers:

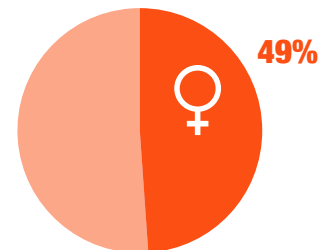
	Patent Attorneys, dual qualified with 0-36 months post qualification	Senior Associates and Principals	Fully qualified Trade Mark Attorneys
Mean pay gap	5.7% in favour of women	6.6% in favour of women	0.6% in favour of men
Median pay gap	4.8% in favour of women	4.9% in favour of women	0.2% in favour of men

Also, if we consider those who receive a bonus on a like-for-like basis, a different picture emerges. In 2018, only our fee earning employees had an established bonus arrangement. If we look at those who were eligible to receive a bonus under this arrangement, the percentage of bonus payments made to men and women is more balanced:

Eligible male fee earners



Eligible female fee earners



Further actions to support gender equality at Marks & Clerk

At Marks & Clerk we are committed to understanding the gender pay gap and achieving equitable remuneration and development opportunities. We have in place, and are developing, a number of policies and practices which underpin our inclusive ethos, some of which are outlined below:

We have developed and uphold inclusive core organisational values which underpin how we do business. We recognise excellence and resourcefulness in the workplace, as well as trust and collegiality amongst work colleagues and with our clients. Inclusivity, equal opportunities for all and respecting individual differences underpin our values and how we work.

We are a founder member and active supporter of “IP Inclusive” which promotes diversity and inclusion amongst IP professionals. IP Inclusive supports women working in IP, and encourages the next generation of female IP practitioners.

We offer enhanced maternity and paternity pay, and we always endeavour to accommodate flexible working requests, for maternity returners and others.

We undertake annual salary reviews to ensure that pay is fair and equitable against market expectations and internally – regardless of gender or other individual circumstances.

We have implemented recruitment training (encompassing unconscious bias awareness) to maintain a high standard of gender-blind selection.

We are further developing our policies on flexible working which will help with attracting new entrants and make a positive difference for existing employees with family commitments.

We continue to examine our recruitment and selection processes to ensure that we follow fair processes, regardless of candidates’ personal characteristics.

We have established a diversity and inclusion group for the UK firm – a group of employee representatives who will work with us to help identify opportunities for improvements in diversity and inclusion, and originate further ideas to support gender equality at Marks & Clerk.

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