



Marks & Clerk LLP 2017

# Gender pay gap report

Marks&Clerk

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Marks & Clerk is the leading and largest firm of Patent and Trade Mark attorneys in the UK with over 60 partners and 350 employees across 8 UK offices. Across our network we have offices in 8 international locations in the EU, Asia and Canada. We offer excellent IP protection and business advice locally, nationally and internationally. Our clients enjoy a uniquely comprehensive service tailored to their individual needs.

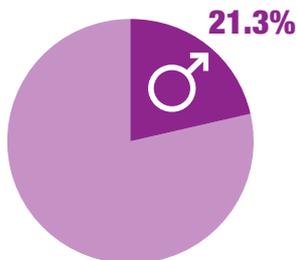
**Gender pay**

It is important to note that the gender pay gap is very different from equal pay considerations. Gender pay gap calculations measure the difference between men’s and women’s average hourly earnings within the organisation, regardless of differences in job roles, expressed as a percentage of men’s earnings. Equal pay considers whether men and women in the same employment, and who perform similar work, or work of equal value, receive equal pay.

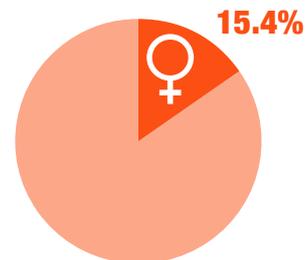
	Mean	Median
<b>Hourly pay</b>	25.8%	26.9%
<b>Bonus</b>	53.2%	73.1%

The above table shows our mean and median gender pay and bonus gap, calculated in accordance with the statutory method. This is a snapshot as of 5 April 2017 for pay, and the 12 months up to 5 April 2017 for bonus. Below is the percentage of men and women who received a bonus as at the snapshot date.

**Percentage of males receiving a bonus**

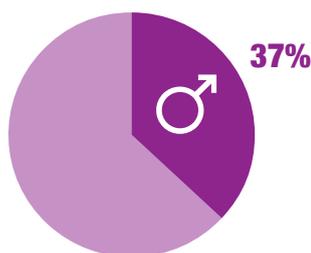


**Percentage of females receiving a bonus**

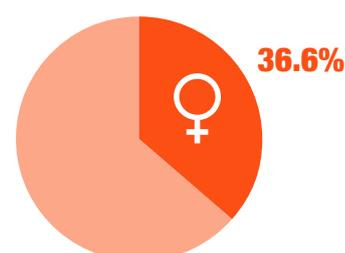


Within our patents group, our largest group of fee earners, the percentage of men and women who received a bonus at the snapshot date was:

**Males**

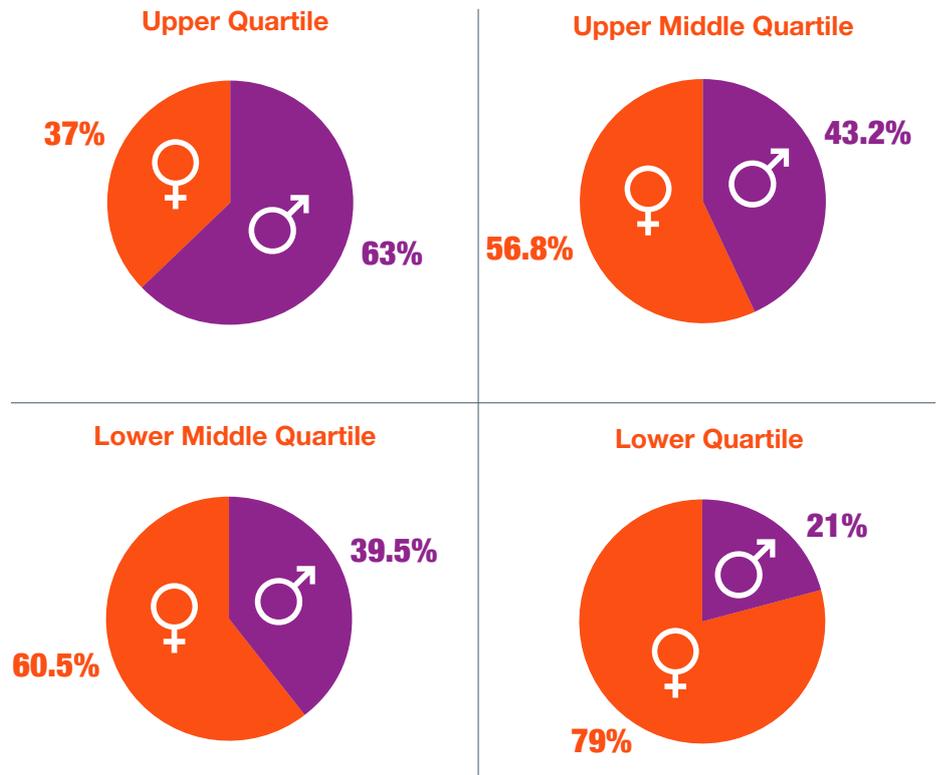


**Females**



**Pay quartiles:**

The figures below show how many men and women are in each quartile of the payroll:



**Understanding the gender pay gap**

The data above identifies that there is a gender pay and bonus gap according to the requirements of the statutory formula. However, the statutory calculations present a very narrow slice of data and by their very nature do not take into account all relevant factors.

For the industry in which we work, it is acknowledged that almost all employers currently have a significant gender pay gap – at the point of publishing, the most recent estimate from the Office for National Statistics (ONS) is that employers in “Professional, Scientific and Technical Industries” have an average gender pay gap of 23.7%.

Factors impacting this include: there is typically a higher proportion of males in technical occupations which are usually highly paid; and a higher proportion of females in support roles, which are usually lower paid than technical occupations; the majority of senior management roles are typically held by males – senior roles are more likely to attract bonus and incentive plans; and females make up the largest proportion of part time workers, which has no impact on hourly pay, but pro-rating pay may, directly or indirectly, impact the bonus figures used in the calculations. We also look below at the challenges we face attracting candidates from a scientific, technological, engineering and mechanical (STEM) background. A number of these factors are deep-rooted challenges which employers alone cannot fully address and any solution will be multi-faceted, requiring wider change within society and education.

### Grade level analysis

We are comfortable that men and women are paid fairly and equally for undertaking equivalent roles within Marks & Clerk. This can be seen by further analysis, breaking down the data into more comparable employee groups – a comparison which the statutory formula does not make, as it compares average figures across the whole workforce regardless of the nature of the role. For example, amongst our fee earning employee population the pay gap is much smaller:

	Mean	Median
<b>Trainees</b>	4.8%	0%
<b>Qualified Attorneys</b>	7.9%	10.2%
<b>Senior and Principal Attorneys</b>	3.8%	0.6%



“At Marks & Clerk, we put our people and our clients at the heart of everything we do. We believe in a meritocratic working environment which embraces diversity and is free from bias. Our core values are the cornerstones of our success.

We recognise the underlying societal factors that give rise to a gender pay gap for a majority of businesses, and we are committed to a fair gender pay balance at all levels within the firm.

I confirm the data reported is accurate.”

**David Ward,  
UK Managing Partner**

We value all of our employees, but recognise that different job roles attract different levels of pay. The majority of our support staff are female. More fee earning staff are male than female. Due to the necessary level of qualification and expertise, fee earning staff tend to be higher paid than support. To provide our clients with the best technical expertise, the majority of our fee earners come from STEM backgrounds. This area of education and industry, and thus our pool of fee earning candidates, is male-dominated. A recent survey from the Women in Science and Engineering Campaign found that just 24% of STEM graduates were female. Our graduate intake for this period was 64% female – whilst more of our highest paid fee earning staff are men, our recruitment of female fee earning employees significantly outstrips the proportion of females in the demographic from which we select.

### Actions to close the gap

Notwithstanding the general demographic, and STEM-specific factors impacting our workforce, we are committed to understanding the gender pay gap and achieving fair gender pay balance at all levels within the firm.

Marks & Clerk has in place a number of policies and practices which underpin our inclusive work environment, some of which are outlined below:

- We are a founder member, and remain active, in ‘IP Inclusive’, an initiative to encourage more diversity and inclusion when recruiting, developing and promoting IP professionals. Amongst other things IP Inclusive seeks to support women working in IP professions and encourage 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 developed and uphold inclusive core organisational values which underpin who we are and 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.