



Marks & Clerk LLP 2020

Gender pay gap report

Marks & Clerk is a leading firm of Patent and Trade Mark attorneys in the UK with over 350 employees and 48 Partners across 8 UK offices. We value diversity and providing an even playing field. 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.

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. These roles require a high level of qualification and expertise, so 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 26% are women¹. As such, ensuring complete gender parity in our upper pay quartile presents an issue 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 43% of our fee earners are women (whereas women make up only 24%² of the core STEM workforce).

Across UK society, more women than men undertake administrative jobs, which 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.

Equal pay

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, 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 <https://www.stemwomen.co.uk/blog/2021/01/women-in-stem-percentages-of-women-in-stem-statistics>

² <https://www.stemwomen.co.uk/blog/2021/01/women-in-stem-percentages-of-women-in-stem-statistics>

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 2020, and the bonus element looks at data from the 12 months up to 5 April 2020:

	Mean	Median
Hourly pay	25.2%	28.3%
Bonus	33.8%	0%

Our mean pay gap has increased by 0.3% since last year. Our median pay gap has decreased by 1% this year. Our mean and median gender bonus gap has decreased since last year because we gave gift vouchers (considered as 'bonus payments' for the purpose of gender bonus reporting) to all of our employees during the reporting period, as well as continuing our usual bonus arrangements for fee earners (more of whom are men).

The next table shows the percentage of men and women 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
Male	18%	40%	45%	67%
Female	82%	60%	55%	33%

A more detailed analysis using the same data used for the gender pay gap calculations reveals a more balanced picture when considering, for example, comparable fee earning employees at various stages of their careers – any differences here are driven by individual performance considerations:

	Patent Attorneys, dual qualified with 0 – 36 months post qualification	Patent Trainees
Mean pay gap	1.6% in favour of men	1.2% in favour of women
Median pay gap	1% in favour of women	0.6% in favour of women

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 policies and practices that underpin our inclusive ethos, some of which are outlined below:

We uphold inclusive organisational values, which are at the core of 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 respect for individual differences underpin these values.

We are a founder member and ongoing 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 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 run recruitment and unconscious bias awareness training to ensure we maintain a high standard of gender-blind selection. We continue to examine our recruitment and selection processes to ensure that we follow fair processes, regardless of any candidates’ personal characteristics.

We are in the process of changing our approach to remote working, to allow greater flexibility, which should make a positive difference for existing employees – particularly those with personal or family commitments, many of whom are women. This may not have an immediate impact on our gender pay gap, but it should make a positive difference to gender equality.