

# Briefing

June 2018

SMARTER LEGAL BUSINESS MANAGEMENT

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## *Near pressure*

*Law firms continue to invest in nearshore hubs in new UK cities –  
but will they also change the whole business for the better?*

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# Editor's letter



## Who we are...

### Flying monkeys



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**T**his month sees the return of our hugely popular **Briefing 5P** conference – the basis of which is recognising that law firms must keep working to become more joined-up businesses. New **pricing** experts need to collaborate closely with those doing the **pitching** to ensure that, although efficient for the client of course, work also manages to make a clearly planned **profit**. Once won, it's over to those in **projects** to ensure what's pitched is delivered; keeping to scope as far as possible, keeping clients informed, and keeping **people** in all of these areas – and more – communicating at all those critical moments.

OK, I'm sure it's a little more complicated than that, but we still believe that a major challenge is 'de-siloing' these different aspects of delivery. They're all geared toward the same overall outcome, and that's why we want them all in the same room and sharing perspectives.

I was reminded of this once again when putting together this issue, where we talk to those leading the work of (comparatively) new business hubs in new cities around the UK. Of course, these places have their lower-cost efficiencies in terms of premises and people – but I hear they're also being used to gain

reprocessing efficiencies by deploying people in different ways, including across the traditional business functions. More broadly, a new location is perhaps a particularly good opportunity to think afresh about how the firm could do all kinds of things that might improve long-term productivity. Yes, that includes testing out technologies – and people said locations were as attractive for their pools of IT talent and knowledge as they were for concentrations of legal expertise. But there are also areas such as the ways and spaces in which all people work most effectively; how to structure or promote the best patterns of collaboration; the uses and management of creativity; and even reassigning age-old responsibilities in ways that make more practical sense. Is it too much of a stretch to suggest that the hub concept might not only be reinvigorating efficient service delivery for clients, but remodelling your future firm before your very eyes?

I'll leave you to chew on that one for now, and hope to see plenty of you out in force in a few weeks – both to challenge thinking and consider highly practical change.

**RICHARD BRENT** EDITOR

# Briefing<sup>▲</sup>

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# Inside this month



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### Joining forces

“The first day was like arriving for the first day of school.”

Alex Bellinger, head of brand and sector communications, CMS



**Briefing** is the only legal business management title, and is focused exclusively on improving the work and worlds of law firm management leaders. Every issue is packed with relevant insight and lessons from peers and pros.

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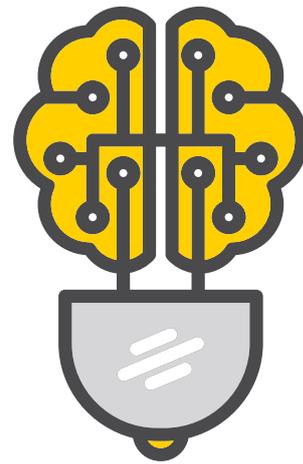
**BRIEFING SPOTLIGHT** Simon Hill, CEO of **Tikit**, explains why and how the business has made a big investment in transforming firms' futures

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 ROUNDUP


# Hour power

**W**e've reached a conclusion here at **Briefing HQ** – there really must be something in this machine-learning business, you know. After all, May brought us the news that no fewer than three top law firms are now collaborating with the same tech venture to test a new platform that intends to harness AI for the automation of legal research and argument assessment in relation to High Court applications.

**Taylor Wessing**, **Baker McKenzie** and **Mishcon de Reya** have all got involved with Israel-based **LitiGate** (geddit?) to explore its potential for faster legal services, at reduced cost but with enhanced accuracy. The technology autonomously reviews arguments, as well as suggesting counter arguments and fallbacks, and recommending preferred steps.

Laurence Lieberman, a partner at Taylor

**50** innovation hours count toward billable-hour targets for selected projects (and lawyers) at Reed Smith

Wessing, said: “Collaborating with LitiGate is a perfect fit for us, and forms part of our wider commitment to investing in technology. We are constantly looking for innovative solutions that will maximise efficiency to ensure the best outcomes for our clients and reduce the overall cost of litigation.”

And LitiGate was happy to big up its backers. CEO Nimrod Aharon said in the same press release: “Our partners do not settle for ‘our lawyers are smarter than the ones across the street’; they take proactive actions to reduce fees and find innovative ways to deliver top-tier legal services to their clients.” Well, we’re very pleased to hear it.

You can tell that Mishcon is impressed, as LitiGate is one of just five to make the cut in the second year of its technology incubator

programme. There were 16 companies that pitched their ideas to MDR LAB back in March – and the lucky handful are now around halfway through their 10-week incubation process, enjoying access to both Mishcon and external mentors. The other four companies – all founded in 2016 or 2017 – include US-based **Digitory Legal** (also for litigators: a “pricing prediction and management tool”) and London online trademark management platform **LawPanel**.

Mishcon’s chief technology officer Nick West enthused: “We genuinely enjoy working with these early-stage legal tech startups to help them bring propositions to life. We’ve found this collaborative approach has accelerated the development of some incredible products.”

Also in May, **Reed Smith** unveiled results of its 2017 ‘innovation hours’ pilot – an initiative that saw 17 fee earners given time to work on projects that also count toward their billable-hour targets. The six projects – which drew lawyers from the UK, US and Singapore – included document automation, a response to the European Union’s ‘Opinion on Blockchain’, and a data protection-focused app called Breach ResponderS (the latter developed by Reed Smith lawyers in collaboration with the knowledge, IT, BD and practice innovation departments).

In 2018, lawyers working on such projects will once again be able to allocate up to 50 of their target hours to them. Five projects will also be selected for a 12-week “fast track”.

Kari Larsen, co-head of the firm’s fintech team, said: “Due to the firm recognising innovation hours toward billable targets, we were able to recruit top-talent lawyers to contribute.”

**“Our partners do not settle for ‘our lawyers are smarter than the ones across the street’; they take proactive actions to reduce fees.”**

*Nimrod Aharon, CEO, LitiGate*



# WHAT'S ON YOUR WHITEBOARD?



Zelinda Bennett, international marketing director at DLA Piper – and chair of this month's coming Briefing 5P conference – on clients, keeping everyone creative, and those diversity quotas

**Q** You chaired our Briefing 5P client panel two years ago. Is there any one area of delivery where you've found clients' expectations or preferences have changed most since 2016?

**A** Clients are getting younger (maybe I'm just getting older), as well as more diverse and more global. And their buying behaviours are changing. We need to understand those buying behaviours and adapt our approaches.

**Q** What's the most important strategic priority or project on your current to-do list?

**A** Responding to our clients' needs, their changing demands and environments, is always at the top of my to-do list!

**Q** What is your biggest marketing challenge?

**A** Constantly developing creative ideas for the business and delivering on them.

**Q** Is there a process change or new initiative at DLA Piper that you're most proud of introducing?

**A** The creation of an international marketing and BD team, working virtually and supported by a shared-service centre.

**Q** Is there one area of work/process within your own department you think could benefit the most from the introduction of more or new technology? If so, what type of technology?

**A** You could have the most amazing technologies and processes in the world but, without the right behaviours in place, you simply won't make the most of them. While we've introduced a number of new processes and technologies into DLA Piper, for me it's all about training our own people to make the most of them!

**Q** Ok. Is there one area of business data you would most like to be able to better utilise, improve or transform?

**A** Client data ...obviously!

**Q** What, if any, practical steps has your firm taken recently to promote more cross-functional, or generally collaborative working?

**A** Training.

**Q** Is there a skill area or attribute that has become significantly more important in your recruitment over the last two years?

**A** There are a few – digital marketing, understanding and managing different generations

in the workplace, and working in virtual teams.

**Q** How would you describe the current diversity of law firms, and depending, is there any one practical step you think most needs to change to improve it?

**A** Improving. Personally, I would introduce quotas.

**Q** And finally – please describe DLA Piper for us in just three words ... or even fewer?

**A** Never stands still. ▲

## JOIN US AT 5P

Discover how to be a champion of necessary change at this year's **Briefing 5P** conference. Explore how to get your **people** to understand and use data to improve **pricing**, up your **pitching** game to meet client expectations, and learn how to best utilise **project** management and **process** improvement with new technology. Book your place today: [www.briefing.co.uk/5P2018](http://www.briefing.co.uk/5P2018)



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 **SPEAK UP**

# Technology central



Tony Williams  
Principal  
Jomati Consultants

 @Jomati\_Consult



Janet Day  
Independent legal technology consultant

**Firms will change as more use a flexible workforce not necessarily co-located – but their dependence on technology increases broadly in line with Moore's Law**

**N**o business is immune to the changes technology has already created. The advent of Uber has changed the taxi business footprint. Airbnb has done the same for short-term accommodation, and Amazon for the entire retail space. And now, new models like Riverview Law and LOD – not to mention the rise of Big Four law – are changing the global legal market.

However, while it's clear technology has created opportunity for these revised models in other vertical markets, law continues to be practised in the same way it has been for centuries. Yes, the speed with which transactions are conducted and communications exchanged has increased out of all recognition – but mechanics of instruction, documentation, revision and finalisation remain much as in Roman times.

So, if IT has created paradigm shifts in so many industries – why has it not really done that for law? And is one on the way?

First, much of the change elsewhere lies in the repeatable model. Calling for a cab has a limited number of variables when you use technology to take location out of the equation. The same goes for accommodation, and one could argue the single biggest variable in retail is the volume and variety of the sales catalogue.

Not so for legal transactions. Although component elements are entirely repeatable, the end-to-end piece often has unique identifiers and there's insufficient repetition to allow for automation (via AI and machine learning) through the whole process. Where legal services have a high degree of repeatability they have already been subjected to varying degrees of technology-driven intervention.

But does this mean firms can avoid embedding technology in the core of their operations? Absolutely not.

Technology underpins every action a

lawyer takes – from client contact, through digital presence for recruitment and market positioning, to research and precedent. No organisation can function without a mobile platform – law firms included. And as we change to more social and collaborative communication tools in a less structured workplace, technology again creates and supports.

The question one might ask is, what quantum of investment should you make – and how to prioritise where it goes?

Some newer entrants to the market make much play that they can support their new business model because of the investment made in a technology-driven platform and a set of optimised processes. Meanwhile, long-established practices are making investments in opportunity for new technology-driven businesses to enter the legal market – look at Mischcon de Reya and Allen & Overy.

The relationship between firm and client is also changing. No longer the centuries-old client/lawyer symbiotic union, it is now a relationship between the cost of the service delivered and the value the recipient perceives they gain.

The ability of technology to analyse and present vast datasets in digestible form now allows firms to offer different service models, based not on complete resolution but on proper containment and management of issues. AI tools, providing predictive, outcome-focused answers, allow both client and lawyer to concentrate on managing them. And new lawyers expect to work not just more flexibly, but in a more informed manner. Technology offers the opportunity.

Firms will change as more use a flexible workforce not necessarily co-located – but their dependence on technology increases broadly in line with Moore's Law. Not embedding it in the weft and warp will only result in an unravelling. 

## SPEAK UP

# Under the hammer

An invitation to participate in 'client X's' e-auction is almost guaranteed to be met with groans. In part this is due to fear of the unknown, but there's also the more justifiable fear of one's legal services being 'commoditised' – where price is seen as the sole determinant of value. Yet it is something we need to get used to.

Many major clients are now using the process to further drive down cost – as part of a panel process or on specific matters. The legal press has carried a number of articles on the theme, including one about the recent Societe Generale e-auction process, which stood out if only because one magic circle firm explicitly refused to participate.

But what's the actual intent of an e-auction? If used well, it's just a tool to help complement the broader procurement process – one purely focused on the 'price' component of the selection decision. In many respects it's there to compress the commercial negotiation process only. As such, it's a valuable tool to many operations, procurement and law department leaders. But if used as the sole determinant of firm selection (as in the case of another major bank) it can fail – producing a collection of low-cost (and potentially lower-value) providers.

A number of other challenges exist. First, as in any auction, ensure a clear description of what's being bid on. This is easy with a CD, less so with legal services.

A clear scope of services is essential.

Second, it's vital there's integrity in the bids received. There have been many recorded instances where bids clearly weren't comparable due to the respective bidders' understanding of scope, leading to wide variation in price for the provision of the 'same' legal service.

Having been part of the initial wave of procurement advocates for this approach back in the very early noughties I've seen a fair share of successes it's fair to say, but also a few blips along the way. Here are a few things to focus on:

**1. Preparation is key.** Not just for the auction itself (I participated in a three-day one, across 17 jurisdictions, 10 experience levels and eight time zones, with sleeping bags and supplies at the ready) but also in demonstrating value to clients well in advance of any commercial discussions. Build client advocates early and often, so they fully appreciate your value before price enters the equation.

**2. You don't need to come 'first'.** Work out who you're bidding against and your strategy to help mitigate random discounting.

**3. Know your walk-away point.** And keep to it. Don't get caught up in the emotion and seek to win at all costs. A clear plan (with impact on profit) is critical. When you reach your limit, stop!

Remember, ultimately you need to create greater value for your clients but also capture a fair share of it yourself. ▶



Stuart Dodds  
Principal  
Positive Pricing

Former director of global pricing and legal project management, Baker McKenzie

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INDUSTRY VIEW

# A day in the life of customer advocacy



Patrick Hurley  
Vice president, customer advocacy  
Thomson Reuters Elite

@TPatrickHurley

Over the 25 years I've worked at Thomson Reuters Elite, I have had many job titles. Most can sound frustratingly corporate-speak when I offer them in cocktail-party situations outside our industry.

"But what do you actually DO?" is a question I've often been asked.

My current job title, though, seems to make sense to everyone. VP, customer advocacy rings true. Heads nod over martini glasses, and eyes light up. "That must be very satisfying!" And it is.

Within our industry, however, I'm often asked for more specifics. I'm frequently asked if I spend time with customers. Of course – I meet with customers in person almost every day, and remotely multiple times a day. It's only one component of any given day, however. To ensure our organisation embodies customer advocacy, my work breaks down as follows:

- **Employees.** Without an engaged team, it doesn't matter what customers tell us. We won't be able to deliver.
- **Customers.** There are lots of meetings, for many reasons, but all with the goal of making customers happy.
- **Solutions.** I spend a lot of time working with the teams that build and deliver our products and services to ensure the customer's voice is heard and I'm able to accurately discuss solutions.
- **Strategy.** It's always the hardest to make time for, but equally important.

There's a fifth category – administration – which we all valiantly try to keep to a minimum. But how does that translate into a typical day for me? Here's how Thursday this week looks:

**8.30am:** Meeting one of our largest partners, a US-based company whose CEO will be in London. We'll talk about some joint customer projects. He'll share some of his new strategy, and we'll talk

about how we can work better together for the benefit of mutual customers.

**9.30am:** Meeting our UK HR manager. A monthly catchup on all things employee-related, including engagement.

**10am:** Call with client A. Monthly project steering committee meeting.

**11am:** Fortnightly catchup with one of our services managers. I have regular catchups with about 15 employees outside my department to provide mentorship, but also to ensure I have cross-functional visibility into any challenges teams face in delivering.

**11.30am:** Final review with our general counsel's office on GDPR policies and processes specific to my department.

**12pm:** Meeting for our roll-out of Office 365. Somehow I was identified as an internal 'change champion'. I will attempt to eat lunch while on the WebEx!

**1pm:** Travel to/from client B in the City for a project steering committee meeting.

**3pm:** Weekly one-to-one meeting with a direct report.

**3.30pm:** Monthly call with client C. This started when this client needed some extra attention. Now it's a routine check-in, but valuable to both of us.

**4pm:** Meeting with employee volunteers planning our new charity initiative for the Alzheimer's Society.

**4.30pm:** Internal meeting on 3E Workspace to ensure issues are being prioritised and resourced correctly.

**5.30pm:** Weekly call with a US client who recently went live on 3E to review status and adjust course as necessary.

**6pm:** WebEx on our cloud strategy.

**7pm:** Email catchup on the way home.

Of course, not every day is as balanced between my categories. Some days I'm with clients all day, some I'm stuck in internal meetings, but every day is busy. And yes, I can nod, it IS very satisfying!

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THE BIG IDEA

# Shore thing

Lower-cost centres in high-talent cities sound like a no-brainer, but there's a lot of work involved before the legal work even starts, finds Richard Brent

In October 2017, Bristol overtook London to be crowned the UK's leading "smart city" – an index commissioned by Huawei UK, which evaluates the growth strategies of 20 cities, including their investment in digital technology "to improve crucial civic services from transport infrastructure to healthcare." Both the cities are still described as "leaders", and some might argue it's a small change – but it's one that could perhaps seem somewhat larger in a certain symbolic light.

Bristol's success is described as the "direct result of it taking significant strides to extend its

innovation programme and more closely integrate those initiatives into city strategy." Underneath this power couple there are then 16 "contender" cities, which include (in the top five) Birmingham, Leeds and Manchester (the latter also named "most improved"), as well as – for example – Glasgow, Belfast and Newcastle. Newcastle entered the index for the first time with its City Futures programme, led by Newcastle University.

And what else do all these places have in common? Quite possibly a number of things – but one is they've all been city of choice for leading law firms to launch 'alternative' delivery or new process hubs in the UK. Usually housing some



“You have practical considerations such as the time zones and the proximity to get onsite faster if necessary – and the elements of real estate, infrastructure and staff costs – but the most influential factors are often the more cultural ones.”

*Mark Ford, global chief knowledge officer,  
Baker McKenzie*

Solutions’ brand. A global customer centre was opened in Pittsburgh in the US as far back as 2003 – covering among other things IT, HR and accounting services, business intake and conflict analysis, as well as limited legal work – so a UK equivalent has been some time in the strategising.

And the location was about a lot more than a two-hour train connection to the capital, says Gareth Hughes, head of strategy – Europe and Middle East. “We actually did quantitative research on 200-plus locations worldwide, including all the locations you’d expect such as Manila, India and Johannesburg. We created an algorithm that takes in 30 different data points, but the most important for us was cultural distance. You can create a cultural-distance matrix, which highlights any barriers, and essentially signals how hard it will be for two cultures to work together.”

Mark Ford, global chief knowledge officer of Baker McKenzie, agrees with the principle. “Clearly, you have practical considerations such as time zones and the proximity to get onsite faster if necessary – and the elements of real estate, infrastructure and staff costs – but the most influential factors are often the more cultural ones.” He explains that this may be more a matter of perception than reality, but it still needs addressing if you’re to maximise the efficiencies and productivity gains that are the whole point of the arrangement.

“Culture is likely to be less of a barrier with nearshoring. People seem more familiar. There is more affinity. A common challenge is the tendency or temptation for people to judge teams that are elsewhere in a way they wouldn’t with their better-known colleagues. A bad experience with an individual gets magnified to be a problem with the entire function.”

From 200 potential locations, Reed Smith’s list was whittled down to only 13 for a “deeper dive” into local dynamics, says Hughes. “We spoke to

combination of higher-volume legal and non-legal business work, the strategy has been to enhance their tapping into a specific market for talent – inevitably at a lower price than it would command in London. Although the two aren’t mutually exclusive, this so-called ‘nearshoring’ move may also be an alternative to offshoring certain roles or activities much further afield, such as to India or the Philippines (as some firms have done).

### Identifying Leeds

In April 2018, Reed Smith announced it had settled on Leeds as the destination for what will be only the second base operating under its ‘Global

“Once you have one group of people up and running a high-quality service, when others see it’s being delivered in a better way they can become more open-minded. Combined with market forces and client pressure on pricing and efficiency, if anything I’ve seen an increase in internal appetite for our work.”

*Mike Polson, co-head of innovation, Ashurst*

local government and other companies based in those regions, before coming to our final decision. A key focus will now be how we effectively differentiate our lawyers in Leeds – and that will not be as lower-cost. A project goal for the next six months will be ensuring clients understand exactly what they’re getting from our lawyers there, which will be as good as – if not better than – what they have in London.”

Ford adds: “Certainly, you ignore the client at your peril. They’re unlikely to be interested in the finer points of how you process an expense claim, but it’s a very good idea to involve them where changes touch client experience.”

But as above, any differentiation a move offers will also need a strong internal-communication effort. “Given the standards lawyers expect and clients demand, quality must always be number one. Whether it’s Delhi or Manchester, you need strong management onsite – because if you drop your guard on quality you give any naysayers ammunition, and even supporters may question the strategy.”

On the other hand, establish quality quickly, and you may reap extra rewards. Mike Polson, co-head

of innovation at Ashurst (and leader of its Glasgow hub), says there’s an opportunity to use a brand new nearshoring initiative or presence to get momentum behind the firm’s buy-in for process change more generally – and possibly overcome objections to placing other work in different hands in future.

“Once you have one group of people up and running a high-quality service, when others see it’s being delivered in a better way they can become more open-minded. Combined with market forces and client pressure on pricing and efficiency, if anything I’ve seen an increase in internal appetite for our work and extending the service range. You have the two forces pulling in the same direction.”

### Technology on trial

Not that anyone is questioning the quality on offer in Leeds, of course. Research commissioned by Leeds city council in 2017 found its legal sector had grown faster in a decade than in any other UK city. That’s not just for back (or middle) office operations, it said (as well placed as it was for that). The report stressed Leeds lawyers offered exactly the same range of services as their London equivalents – only for lower fees.

But in addition to lawyers and business bodies such as the Northern Powerhouse Partnership, there’s another aspect to the resource Reed Smith can hope to find in Leeds – technology. Its premises are part of the city’s innovation hub – a co-working environment where the firm can, formally or informally, tap into other businesses’ thinking and research in areas such as the application of artificial intelligence. And against this backdrop, the idea is that the very space of the



base – fully open-plan and kitted out for mobility and effective collaboration – will help drive the innovation agenda. Lawyers, business services teams and process analysts will also work side by side. That way, their working day is designed to help identify new best practice for both personal productivity and surfacing ideas or improvements.

There's a comparable dynamic at the Freshfields Bruckhaus Deringer legal services centre (LSC), primarily based at the firm's open-plan global centre in Manchester (which also houses several areas of business services). Olivia Balson, head of the LSC, says: "We work cross-functionally with the centre's other teams to ensure the client is receiving the most efficient service. We are also geared to test and capture the potential of technology particularly quickly for the innovation teams across the firm."

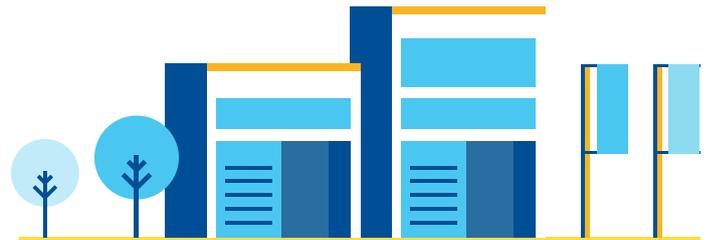
Hughes at Reed Smith says: "Being more disaggregated should bring us closer to a better utilised model – not necessarily leaner, but smarter – which I think a lot of firms are trying to move towards." And more immediately, there's an opportunity to "add a bit of de-risking" in various aspects of delivery, ranging from the legal work to processes for raising invoices or responding to a KM opportunity. "We want any role that has the potential to be placed in Leeds to be process-mapped to a very high level," he explains.

Ford at Baker McKenzie also agrees with this. "Try to standardise processes before – or at least at the same time as – offshoring or nearshoring them. If you're supporting multiple locations, but processes are even a little different, you're just not really getting the efficiencies of the centralisation."

### Improve yourself

Coupled with technology, however, a nearshored process or service centre can also be the place for uncovering process improvements previously unthought of. For example, Polson has moulded the Ashurst Glasgow office into a centre for continuous improvement in many respects.

First, supported by Scottish Enterprise, a number of people are taken through a three- to four-month 'business improvement academy' three times a year, and can take on a real Ashurst project as a case study. "They're learning about principles and techniques of continuous improvement such as Lean, but also contributing



## Process empowered in Newcastle

Norton Rose Fulbright is another firm to use a presence in a new city as part of a wider change programme – in this case its '2020' strategy. It first established a legal process hub in Newcastle in 2016, as a pilot, but the opportunities were quick to accelerate.

Hub head Kiran Radhakrishnan explains: "There are a number of reasons why Newcastle is ideally placed for Norton Rose Fulbright, including access to a strong pool of local talent that's able to support our efforts globally, and the city's strong and growing reputation for innovation and technology. But expanding the team outside London also allows us to trial emerging technology and working practices, including agile working, in a structured way.

"The pilot allowed us to test further ways in which we undertook some of our legal processes, incorporating new technologies and more efficient methods of working. It also afforded us the opportunity to explore our service offering to provide our clients with more choice and flexibility around scoping, resourcing and pricing to further streamline and develop our processes." He says the overall team has grown from eight to 50 today, and now includes certain business services teams supporting the global network, in addition to the legal process and innovation teams previously based there.

He continues: "By using the hub, the firm can complete parts of our existing workload more efficiently than is possible in conventional teams; take on high-volume work we wouldn't previously have been able to take on for cost or capacity reasons; trial the latest technologies, and collect and analyse data in a way not previously envisaged.

"We recently carried out a 'human vs machine' test, challenging two AI platforms, which has delivered some unexpected results and has informed our decisions on the best way to proceed in this area. The deep pool of technologically capable staff we are able to access in Newcastle enables us to really stretch the technologies we trial, and the process-based way in which we work means that we can test those technologies in a way that is directly relevant to us."

**"Expanding the team outside London also allows us to trial emerging technology and working practices, including agile working."**

to the business at the same time,” he explains.

In 2017, Ashurst also started to use more ‘flexible lawyering’ by taking on contractors (often alumni), which has proved particularly productive for typical tasks undertaken in Glasgow. “The resource is used across the business, but the work of our legal analyst team here tends to be a bit more regular, with more sight of peaks and troughs, so it’s a very fertile environment for trying different ways of working,” he says.

Moreover, many in this more contingent workforce are at a point in their careers where they have amassed skills that can be deployed in less narrow ways. “We’ve found a large proportion happy to be involved in a due diligence review for one assignment, but then move to something else such as supporting our review work on a regulatory investigation,” he says. “The wider they can go, the more opportunities open up for them personally – and with that breadth of experience they’re also very, very productive.”

Balson at Freshfields says: “We have developed standardised processes for quite a lot of activities that apply across practice groups, and also a work-allocation initiative that sits across the LSC and document services team to ensure work is always routed to the right person, with the right capability and capacity.”

Polson’s team has also taken the lead on combining new technology (global practice management and business intake systems) with some resourcing changes to drive consistency globally in onboarding new clients. Indeed, Polson says the team that has grown the most in two years is risk and compliance, as the emerging risk categories just keep on coming.

But there’s certainly no reason for it to end there. “If you don’t simply ‘lift and shift’ something to your hub from London or another location, you also have the opportunity of a certain quantity of blank canvas. You can say: If we started from scratch, how would we really want to do this? And although some roles may transfer, you can perhaps hire and mould a more change-receptive workforce for the future.”

This approach makes even better sense, he says, coming as firms race to introduce a set of entirely



## Centre forward for innovation

Allen & Overy and Baker McKenzie chose to launch their nearshore operations in Belfast (in 2011 and 2014 respectively). A&O’s is the second largest in the firm’s entire network by headcount – over 500, in a combination of legal and non-legal roles – and in November 2017 there was a recruitment drive for 30 new roles as part of a global IT upgrade, covering document management, collaboration and search technology.

However, in 2017 Belfast was also singled out for its expertise in the intersection of technology fields and the law itself. Ulster University was chosen to be the home of the UK’s very first Legal Innovation Centre. Its director, Dr Catrina Denvir, says: “The city has long been attracting a growing number of technology businesses, and alongside that an increase in the alternative legal service delivery concept. Our university also has its school of computer science and intelligent systems – which has previously worked predominantly on application of artificial intelligence in the biomedical field, but is now increasingly looking at law.” On the tech business side, she explains, there has also been strong support from Invest Northern Ireland, as well as specific schemes to help startups.

From the law firms’ perspective, she adds, there is the expected lower-cost element, but also a comparatively large pool of available graduate talent. And indeed, both Allen & Overy and Baker McKenzie are stakeholders in the centre.

“They have helped to propel the R&D work on specific industry projects, but also act as a sounding board for various ideas, including helping to shape the curriculum.

“We know there’s something of a gap in that firms need people with more technology skills, but what those skills should look like needs to be designed. The firms can help to guide us on what is truly most useful to them.”

new roles and functions, such as to manage innovation and R&D. “The challenge then becomes one of ensuring that whatever it is you’re building remains an integrated part of the firm, and keeps hold of its core culture and values.”

With the support of local investment initiatives and concentrations of technology talent, the nearshoring wave continues to roll. Whether it represents a sea change for the traditional law firm model is a little harder to say. ▴

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## TEAM PROFILE

# Merger mastery

A year on from their big merger day, the business development, marketing and communications team of CMS reflect on how far they have come – and tell Kayli Olson how the mission was made possible

Having followed the story since the big news broke back in September 2016, the **Briefing** team excitedly awaited the May 2017 go-live of a brand new law firm – CMS Cameron McKenna Nabarro Olswang. A year further on, we caught up with the business development, marketing and communications (BDMC) team of the merged firm to learn some more about the challenges and hard work involved in seeing it through to fruition.

“The time from announcement to merger was the busiest, toughest and most rewarding six months of my life,” says Alex Bellinger, head of brand and sector communications (legacy Nabarro).

Everyone on the team agrees that one of the most challenging things was maintaining business as usual with the extra spinning plates of the integration and new team dynamics to get used to. Head of communications Nicola Stokes explains: “It was key for us to have a clear and consistent message, both internally across the three firms and externally to press and clients.”

If communications were to falter at any level, for any reason, that could have led to integration problems, or loss of productivity – or worse, of clients.

The communications team were one of the first

to work together, she adds. They would have daily phone calls, with internal newsletters also regularly circulated.

“We had to collaborate very closely to circulate information across the firms – this helped to build a framework quite early on,” says Stokes.

Bellinger adds that at one point they were calling nearly every hour for weeks – the team needed to have the “right communication going out to the right people at the right time.”

A fairly obvious, but pitch-perfect, theme that was brought out quite early on was “the power of three,” he says.

“The three firms were very complementary in terms of sectors – which is why the merger made sense from a business perspective. But it was the momentum this brought to business teams that has driven our success in the market.

“The freshness of being in a whole new team helped us to bounce ideas off one another and learn from the experiences of our peers. The first day was like arriving for the first day of school – chaotic in places perhaps, but with a real buzz. The opportunities were endless.”

## Better together

Immediately after the announcement, Rob Gijssen, director of business development, says he and the



**“The freshness of being in a whole new team helped us to bounce ideas off one another and learn from the experience of our peers.”**

*Alex Bellinger, head of brand and sector communications, CMS*

team got to work coming up with a new BD and marketing strategy.

“We had a real opportunity to start from scratch – it’s not necessarily the combining of a client programme from one firm with the communication approach of another. We got to build something together. We knew it was going to be hard work, but ultimately it would benefit the firm and our team overall.”

Naturally a larger firm also comes with heightened expectations on the part of management and partners, Gijssen says – and things

that were deemed acceptable in the past (at any of the three firms) might need to change or go up a notch. The demands for the BD team were certainly no exception.

Lukas Claerhout, head of practice and sector group marketing, says the firm was “a different beast” in the market. His first focus was to get the strategy piece nailed down – especially as the new firm needed to step up its combined game.

“I spent a lot of time in the new role just going around the three firms and speaking to partners. It was useful just to soak up the atmospheres and get to know people on their turf, as it was then.”

But at the same time as the integration, the CMS London office was having another refit. The first floor was completely converted into client meeting rooms and floors six and seven were being kitted out. Claerhout says everything was a bit disorientating, but good fun at the same time. “I remember there being a lot of laughter and incredible energy from teams and individuals. People were squatting in the library, or zipping

Clockwise, from back left: Jo Witham, head of strategic client management; Rob Gijssen, director of business development; Lukas Claerhout, head of practice and sector group marketing; Geraint Evans, head of new business; Nicola Stokes, head of communications; and Alex Bellinger, head of brand and sector communications, CMS

 FIRM FACTS
<b>CMS</b> Offices: 74 Countries: 42 Revenue (2016): €999m (approx. £877) Headcount: 7,500+ Ratio, fee earners to business services staff: Undisclosed

**“When we eventually did merge, our pitch team was already well integrated, as they’d been working together on pitches for a few months.”**

*Geraint Evans, head of new business, CMS*

back and forth between offices – I got that walk down to eight minutes.”

He says this made it easier to bring that energy into his strategies. “Partners and associates were moving along different channels, and I would insert myself in those processes and then map out and implement our new strategies, so we could hit the ground running.”

A series of work streams were put in place to prepare people for the merger. Gijzen says: “Apart from team structures, we also had to think about what we would do on the client side. How are we going to approach our sectors? What needs to happen with communications, and events?”

### Into the market

Geraint Evans, head of new business, adds: “We were really pitching into the market and our different sectors as a combined firm from the point of the public announcement.

“Even though we were still separate businesses, we needed to distil down and define what real value to business the combination could bring.”

Evans reiterates that at one point weekly calls would turn into hourly calls, especially on certain pitches where they were up against a client

deadline. It wasn’t just one firm coordinating with one client, but multiple partners across the three firms to consider. This was a challenge.

So, the team spent a lot of time thinking about what the benefits to the clients were and what the sales messages were therefore going to be. “We’d work that through with some key decision-makers and partners,” says Evans. “The benefit of that was when we eventually did merge, our pitch team was already well integrated, as they’d been working together on pitches for a few months.”

On top of the new firm’s future offering, there were other factors to consider such as historic compliance or client commitment agreements to be fulfilled.

Jo Witham, head of strategic client management (legacy Olswang), says the goodwill the firm received from its client base was a big help. “It was hugely motivating. Opportunities fell out of that very quickly, and we had to work around compliance and other considerations far earlier than we thought would be the case.”

And there was more. In addition to a group of people who’ve never worked together before, the firm set up a big new business intelligence team in India.

Evans says: “The person who made that happen hadn’t managed many people before, let alone someone 4,000 miles away. That was a big challenge, and of course we all felt a little unsure – just because of the pure change it would bring. But we were deep in change anyway.

“Everyone adapted well, and she did a fantastic job to make that happen. Now we have even more insight to use to develop our proposition.”

It’s also another example of how the new firm was perhaps even more open to new ideas.

Witham says: “We had very fluid thought processes as to what best practice could be and how best to approach an opportunity.”

Inevitably, there was some pain along the way, she says. Even a merger on a much smaller scale is no mean feat. But it brought about the gain of a new era that has challenged ways of working, and continues to do so. And brought this team – for one – a lot closer together. 

# Briefing

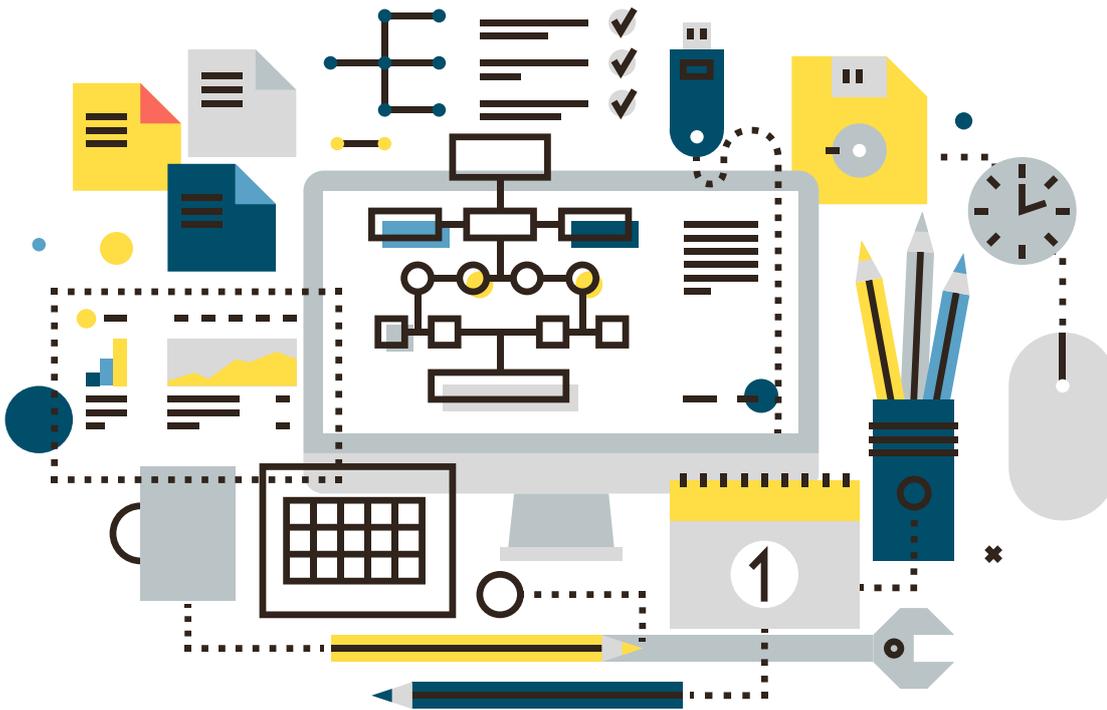
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We are leaders in the practice and case management market and have the most sophisticated and integrated product on the market. Within our practice and case management ecosystem we do the traditional practice and case management applications, combined with other best-of-breed providers, to help streamline processes like conveyancing,

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Our market-leading time-recording application sits alongside any DMS or PMS, or as a standalone application. Delivered in the best way to suit your firm, it is flexible and enables time recording on the move.

For any firm wanting to retain and build its customer base, Tikit's marketing product portfolio helps drive tangible business results. CRM and email marketing are at the centre of this. However, we also help in providing the solution to firm-wide CRM adoption by automating that process with Introhive.

Together, our carefully selected portfolio of products has the power to run the modern law firm. ▴

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**Tikit's vision is to be the leading provider of innovative and specialist technology to the legal and professional services sector. Our product set is split into four main ecosystems**



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# Invest for tomorrow

There's a both new and familiar face in the hot seat at Tikit. CEO Simon Hill tells Richard Brent why the strategy is to invest and focus, but to keeps firms' options open

**O**rganisations seem increasingly aware that they need to articulate 'purpose' as well as achieve productivity to build sustainable businesses today. And this is often translated into a relatively straightforward single statement to ensure everyone that touches the business accurately understands all the hard work to be leading to the same thing.

Tikit – just embarking on a new chapter in its strategy – has three. CEO Simon Hill explains: "Our vision is to be the leading provider of innovative and specialist legal technology to the

legal profession. We want to make our software transformational in the success of legal and professional services businesses. Our brand promise is to make it easier for you to get on top of business today, so you can thrive tomorrow."

Hill is clearly passionate about changing things for the legal profession – but says that his own ascent to CEO, in fact, emphasises continuity of values. Technology needs to change with the fluidly evolving shape of the workforce, but founding principles have not. Hill has been with Tikit since it merged with TFB back in 2008 (he

was an original founder of the latter). And since BT took the business over in 2013 he has been chief operating officer, so this is hardly an unnatural progression.

“In this space you have to be exceptionally clear about what you do, but then also do it exceptionally well,” he continues.

“Our clear aim is to lead in all our market spaces. I was one of the three directors who effectively decided to sell the business to BT, and we did that to win the investment and support levels of a FTSE 100 company. BT wanted to enter verticals, and was looking at businesses that had already grown rapidly, but which could grow even faster with their support. It wanted to accelerate our development programme.

“Investment in development of legal IT has become something of an arms race. A lot of traditional vendors created their applications back in the late 90s or early noughties. They built on those year on year, but rewriting and introducing a new application in the sector is a big challenge.

“I think our users have seen how we’ve been able to invest far more across our product lines in the last five years than was the case when we were an independent business.”

### Time of the essence

This is seen in terms of the business’s own IP – “an increasingly large part of Tikit”, in line with strategy, he says – but also investment in integration and collaboration with key partners.

“With 1,500 clients globally now, we’re a very broad church that has been built by many.”

The acquisition of a time-recording business in the US, for example, brought it a North America team overnight in 2010. That was at the same time as the arrival of timekeeping solution Carpe Diem – one particular beneficiary of extra investment.

Hill says Carpe Diem has become so ubiquitous it has turned into “something of a comfort blanket” for firms – which is a good thing. However, firms certainly can’t afford to be lulled into any false sense of security when it comes to efficient process and profitable pricing. “Firms must understand their costs and bill efficiently, but they also need to be able to forecast future workload,” he says. The latest enhancement to Carpe Diem – in summer 2017 – was therefore a

forecasting module. “A common problem for firms is where a team is exceptionally busy for a fixed period, but then suddenly has a lot less to do. You can now effectively assign future time to projects, and then monitor participation to see how good lawyers are at doing it – as well as using that insight to make more tactical decisions about resourcing work.”

More generally, Carpe Diem comes in both “classic” and device-independent HTML5 browser versions for making the most of opportunities to record and manage time while working in the more agile fashion that is fast becoming the norm.

### You choose

A strategic theme for Tikit, it emerges, is flexibility – the BT investment means it can offer more of it. Hill says: “People sometimes don’t realise you can have a mix of the two – Carpe Diem classic on premise, and the browser version on mobile. Firms need a workforce that’s high-performing, but that means flexible and agile, and it needs to be supported by efficient process.”

Sometimes, of course, you don’t want to be forced to choose – such as going in and out of all those different systems. Hill continues: “We’re currently investing a lot in our relationships and integrations to help firms take advantage of a ‘flow-through’ in process. Clearly, there’s integration with PMS and accounting systems, but Carpe Diem activities and data could flow into the CRM system, for example.” This, he says, should also prove unique from the perspective of Tikit’s own competitiveness.

But one area where Tikit knows flexibility is still a very big deal is cloud. “Carpe Diem is in the Azure cloud, and TMS [Template Management] will be there in the next year. The strategy is clearly to offer greater levels of agility and security with cloud – but if firms don’t want that, their investment is secure. You hear of some companies trying to end-of-life on premise, and I’m not sure CIOs want that. They want a vision that’s ready to take them to the cloud should they wish.”

That’s why, in June 2017, Tikit announced NetDocuments would be its preferred strategic document management solution (DMS) supplier for all new clients.

**“The strategy is clearly to offer greater levels of agility and security with cloud – but if firms don’t want that, their investment is secure.”**

*Simon Hill, CEO, Tikit*



Hill says this will have come as a surprise to some. “Surely Tikit had substantial revenues and margin from working with iManage?” But others recognised this meant the change can only have been for a very significant strategic reason.

What does it mean for customers using iManage? “Our relationship with iManage remains strong, and both our teams are collaborating more and more on the integration, which clients will hear more about soon,” he says. “iManage will continue to win deals, and I think the change has been very healthy for everyone, because law firms get a genuine choice.

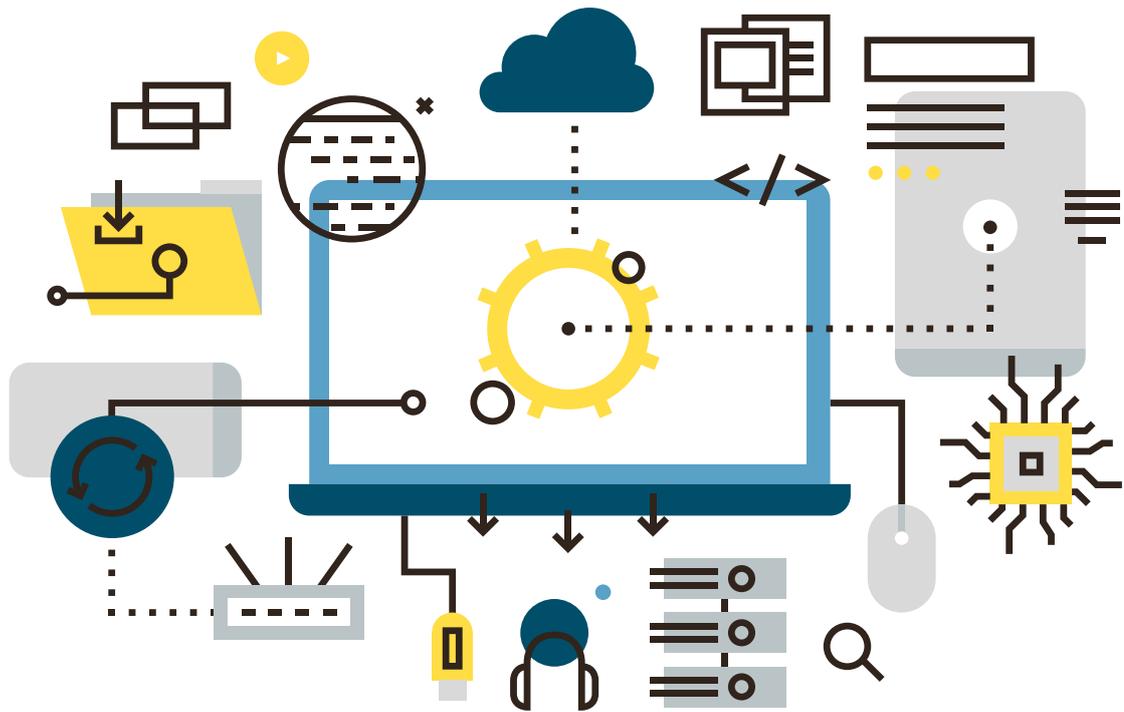
“But Tikit has a reputation for being a first mover, and we saw momentum growing for NetDocuments in the US. At one point when we looked they’d achieved 250% growth on the previous year – they had 2,000 clients – and a cloud-based DMS ties in well with where we’re taking our own IP.”

The integration with NetDocuments will also

sync work from practice and case management system Partner for Windows (P4W) to its workspaces in the cloud – offering yet another choice.

“There are some P4W firms – which are increasingly larger firms – that may only use the accounting module, but have fee earners whose work would be more suited to a DMS.” It’s another example of a way that firms can keep resourcing, workflow and employees working flexibly.

As firms’ clients’ demands grow ever more complex, options like this will grow proportionally more important. Tikit’s advantage is its continuing ability to behave like an agile, entrepreneurial business while being backed by a FTSE 100 company. Hill sees an important part of his role as maintaining that balance which has, so far, proved beneficial to both Tikit and its client base. The plan is for his own face to be but one component of a reassuringly familiar brand that promises to keep control of its own – and law firms’ – futures. ▲



# Time to be ecosystem-friendly

Simon Elven, commercial and marketing director at Tikit, says firms have their work cut out to maintain profitability and improve productivity in 2018, but more interconnected and automated systems are an important part of the solution

**T**echnology giants have appeared over the years – Amazon in 1994, Netflix in 1997, Facebook in 2004, Twitter 2006, Uber 2009, and so on. These leading internet-based companies share one commonality. They are used as the base upon which other technologies and processes are developed. On its own, Facebook offers the ability to connect with friends. As an ecosystem of interconnected applications – Instagram, App Centre, Spotify, Twitter, Messenger, Whatsapp – it becomes something much more, and appeals to a broader demographic. While Facebook doesn't have much to do with legal technology on the face of it, it has – along with these other tech giants – set the pace of change across all industries.

## Integrated tech – the ecosystem approach

The ecosystem approach means building a platform for success by running a series of complex, interconnected best-of-breed solutions to address your individual firm's business needs.

Technology objectives such as smart working, cloud and information security all feature prominently on the agenda for firms in 2018/19. But drilling down deeper, it is clear there are four broad areas that a firm's clients consider important – people, finance, trust and business development.

Running interconnected solutions not only helps firms to meet their technology objectives, but assists in demonstrating their capabilities in each of these key areas.

## People

With work-life balance now featuring high on the list of wants for prospective law firm employees, agile working is essential to support more flexible hours and to retain top talent.

One of the clearest indications of law firms taking these trends seriously is that cloud adoption in legal is starting to accelerate. According to the American Bar Association's 2017 Legal technology survey, 38% of lawyers had made a move to cloud in 2016. In 2017, that percentage went up to 52%,

suggesting agile working is perhaps the number one concern for growing law firms.

Being able to time record on the go is one thing – but true agile working requires a fully integrated cloud-based time-recording/document management solution to allow fee earners to work on any device, anytime, anywhere, on their main work tasks. This flexibility will help firms to retain their top performers.

## Finance

Achieving ‘trusted adviser’ status within a client organisation is key for law firms, but so is being seen to offer value for money. Firms have not always seen themselves as businesses, and therefore having a handle on costs hasn’t featured as highly on their priority list as it should do. Now, getting a handle on costs using an efficient time and billing application is essential. And central to this is the complete capture of time.

Time recording has always been used retrospectively. Work is undertaken and time is recorded. However, with the greater focus on overall efficiency, the organisation and scheduling of work has risen up the priority list. Getting all time into the system, understanding where time is spent, and obtaining a view on how the firm as a whole is operating, is essential to ensuring that a firm is delivering on its promise of value for money.

## Trust

At the same time, law firms are trusted with their clients’ most sensitive data. Having the most knowledgeable lawyers, or the most efficient charging arrangements, means nothing if the client has any doubt information isn’t going to be stored securely. The security of data, systems and processes to ensure compliance with relevant legislation such as the General Data Protection Regulation is top of the agenda.

Early resistance to moving systems into the cloud came from a knee-jerk mistrust of storing data outside the firm itself. There was a distinct comfort in knowing the hardware on which the key data resided could be viewed through the computer-room door – although the fact the computer-room door had a fairly weak lock on it did not seem to cause anyone pause for thought. The simple fact is that the security that can be afforded by the very large cloud platform vendors makes the security that can be afforded by even the largest law firms look weak. This is another factor behind the drive of many law firms into the cloud.

Layering on additional technologies to help manage document lifecycle efficiently and manage personal data effectively are then essential to instilling and embedding trust in customers.

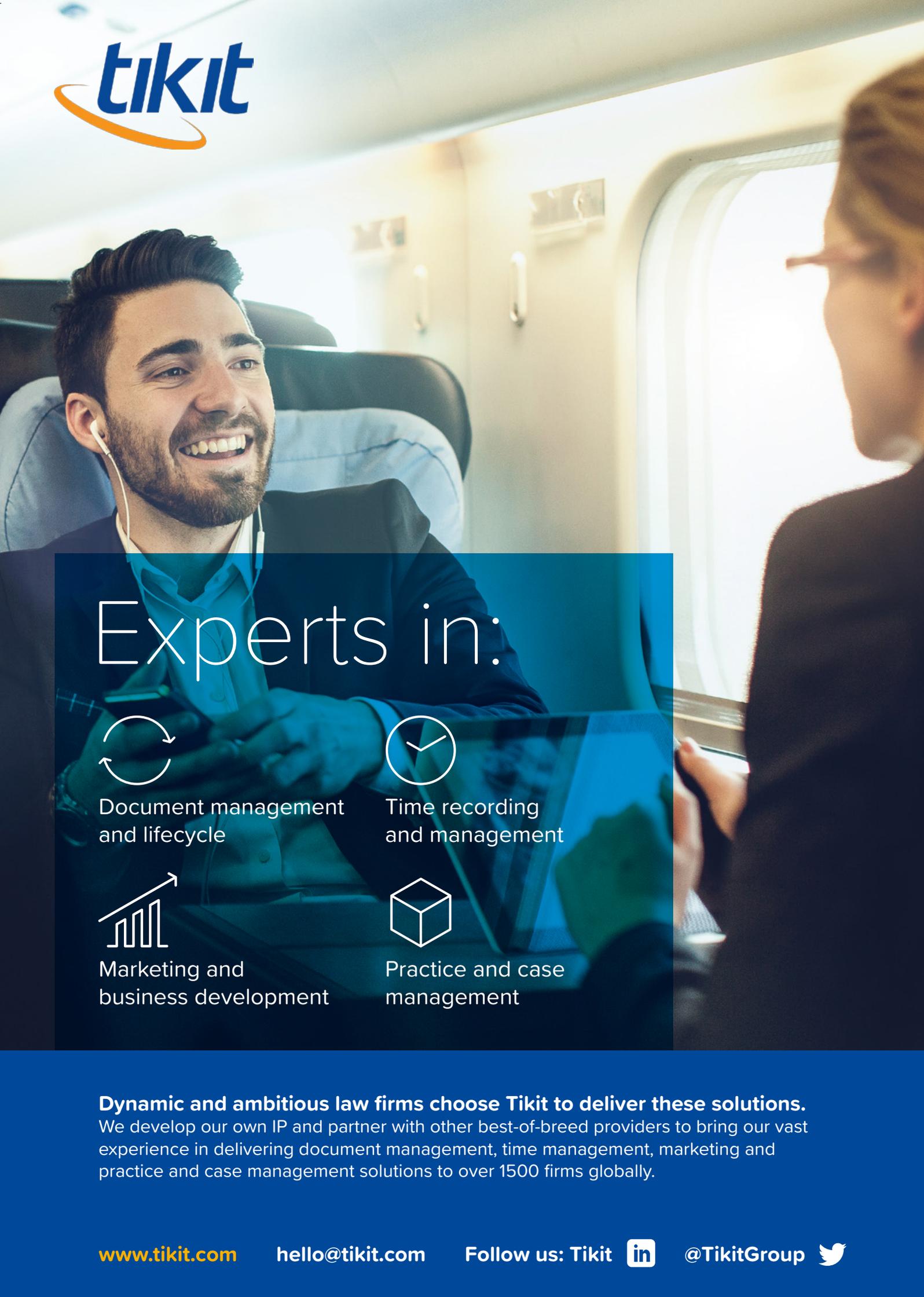
## Business development

Achieving trusted-adviser status requires the development of relationships between the lawyer and their contacts. If this process is to be undertaken in a controlled and structured way – rather than an ad hoc and ‘when I remember to do it’ way, an effective CRM system is vital. Having a CRM that effectively supports business and relationship development has been a significant challenge for law firms over the years. However, if the CRM system is placed within an ecosystem of connected systems that support and enhance its capabilities, the chances of success are enhanced.

A staggering 69% of firms have out-of-date information in their CRM. A single point of data entry integrated with your CRM and your practice management system will help to address this challenge. And with 88% of CRM users admitting to entering incomplete contact information, the need to automate the process is essential.

Investing in solutions that make 100% CRM adoption a reality will drive tangible results in business development. And putting a firm’s relationships with its customers at the heart of everything it does improves both profit margins and overall firm reputation.

To succeed and be innovative, firms have a long list of things to do. As we move into the cloud era, their workforces must be agile, but still be able to collaborate with peers and customers. Their people must be high-performing but supported by efficient technology processes. Firms must understand their costs and be able to forecast workload. They must bill work efficiently. Customers are becoming more demanding, so billing efficiently may well mean instant real-time updates. But with changes to communication and intensifying client demands, that information must remain secure, and that security question goes far beyond protecting client communications. Firms must invest in central systems that respect data sovereignty and manage data in line with new legislation. Added to this is the challenge of remaining competitive and building those strong relationships with customers. It’s a lot to think about. But the key is approaching technology in an integrated way, with a focus on user experience and ensuring systems are scalable for the future. ▀



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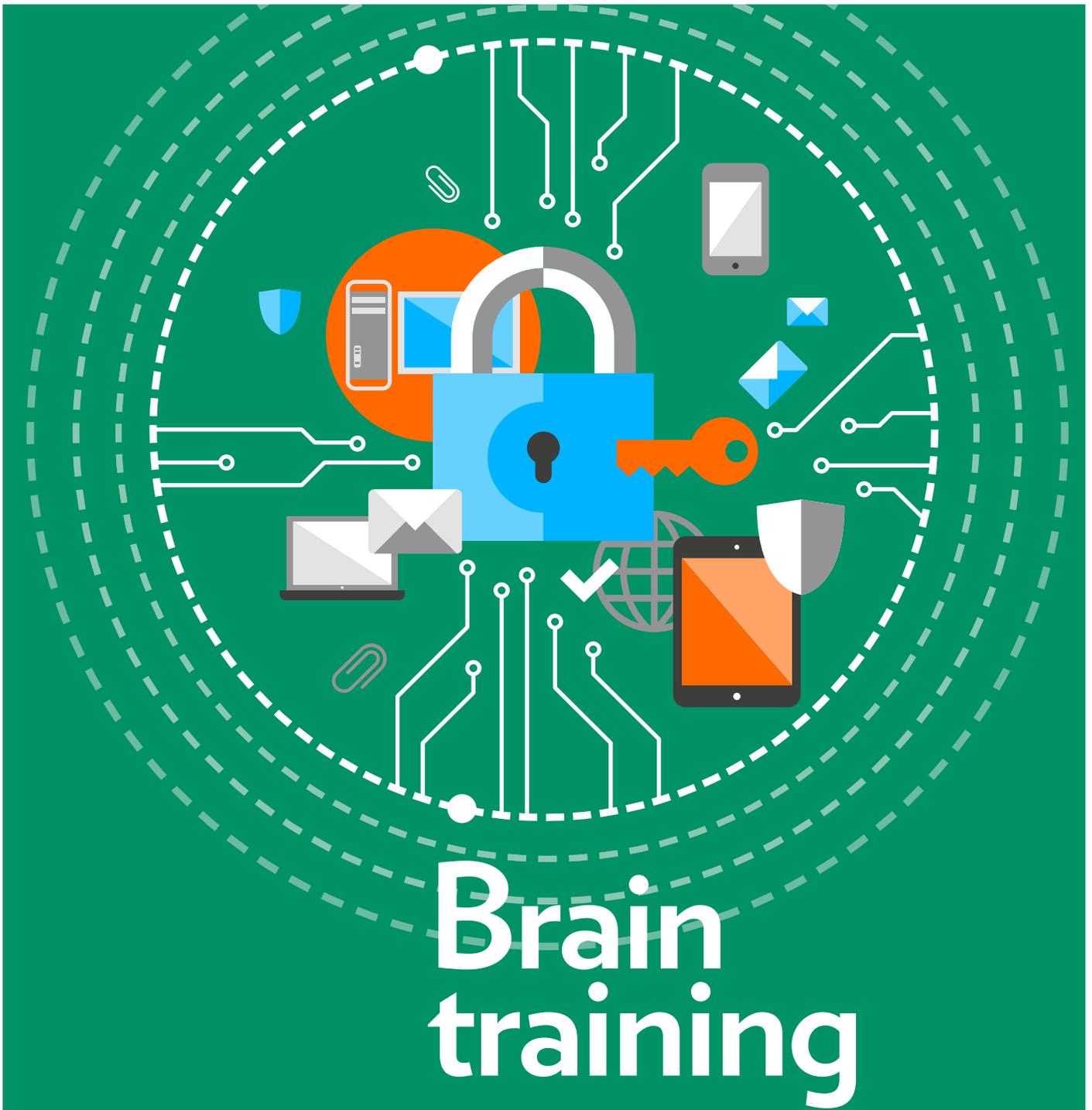
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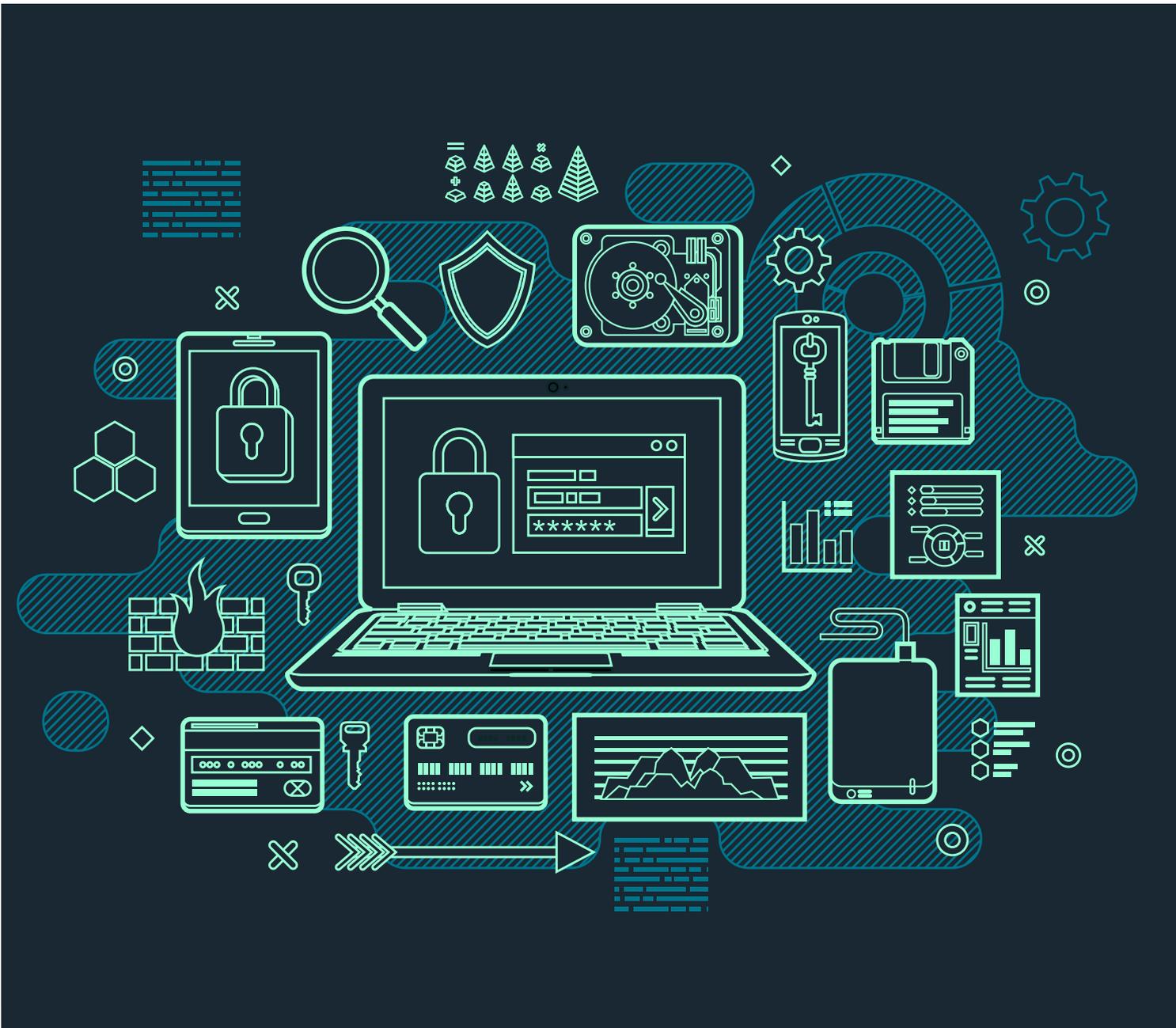


# Brain training

## 30

### *Steps up for GDPR*

Ruth Napier, director of business development at **Cripps**, sets out the process of an award-winning campaign to engage clients in the business data challenge of the day



## HANDS ON

# Steps up for GDPR

With the EU's General Data Protection Regulation finally in force, Ruth Napier, director of business development at Cripps, reflects on the process of turning challenging regulatory change into a positive business development story

The General Data Protection Regulation (GDPR) has been moving up the boardroom agenda over the last 18 months, with the new regulations coming into force on 25 May 2018. As an EU regulation, it has far-reaching consequences, making businesses more accountable for the way data is processed and controlled, and with much heavier penalties for breaches of the regulation compared to the current regime.

Ironically, at the same time there has been a lot of spam in people's inboxes on the subject of GDPR, with little to help people and business owners really understand what they need to do and how to go about it. While there has been a lot of this 'noise', our firm recognised that there was very little practical

advice and support out there.

So, in September 2017 we pulled together a new working group charged with finding a way to provide a practical solution for our clients. The key members of this group were partners Irfan Baluch, Pete Kenyon and Kathryn Rogers, senior associate Elliot Fry from our commercial contracts legal team, and business development manager Sam Jones and PR and communications executive Kirsty Adams from BD and marketing.

### Step-by-step changes

While the information available from the Information Commissioner's Office (ICO) was very comprehensive, the team quickly recognised that clients needed someone to cut through the complexity of the detail and tell them what they really needed to know in an unbiased and pragmatic way.

This also needed to be presented in an easy to understand language and be visually engaging to encourage clients to navigate their own GDPR journey. It was important to the audience we had in mind, particularly those with limited internal resources, to provide a simple step-by-step pathway to guide them through a process which could include substantial changes in policies, procedures, data and security.

The lynchpin of the campaign was our GDPR Hub ([www.cripps.co.uk/gdpr-hub/](http://www.cripps.co.uk/gdpr-hub/)), an online knowledge tool which breaks the regulation down into five core areas. Under each of these areas there is an index of

**There has been a lot of spam in people's inboxes on the subject of GDPR, with little to help people and business owners really understand what they need to do and how to go about it**

topics, providing one-page fact sheets on the most frequently asked questions (approximately 35 fact sheets across the site). However, content is updated regularly as new information comes to light, so the hub also acts as a live source of information – as well as featuring a countdown clock on the front page.

Complementing the hub, we launched our 'Five-step approach to becoming GDPR-compliant'. Designed and written to be accessible and easily digested, this clearly explored key considerations for clients at each of the following five stages as well, of course, as highlighting how Cripps could help clients achieve and maintain compliance:

1. Mapping data flows
2. Audit
3. Gap analysis
4. Implementation
5. Monitoring

### Campaign activation and reach

The hub was initially shared with a subset of our existing client base via an e-alert, which achieved a 36% open rate, far

higher than industry averages. In addition to featuring on email footers, both the five-step approach and the content hub were also promoted through social media, and supported by blog articles both on our own website and through a third party, Insider Media. Since its launch in September 2017, the hub has become the 15th most visited of more than 5,000 pages on our website and has had over 12,000 page views to date. Anecdotally, the site has been commended for its simplicity, plain English and succinctness, and other professional services firms have recommended it to their clients as a source of reference. This success is supported by a low bounce rate of 40%, with most visitors navigating their way around the hub rather than simply visiting the landing page and leaving.

The hub was also promoted more widely, via content extension. Having looked at how GDPR impacts different industries, we tailored articles for charities and healthcare businesses, gaining us coverage in the primary care publication Practice Management magazine. This was supplemented by an ongoing series of topical articles running on Insider Media's Southeast website and via Cripps' social media channels.

To maintain a personal approach, we have also publicised and run a series of open seminars and training sessions, including cross-industry panel discussions incorporating wide-ranging perspectives from IT, HR specialists and clients at the



## Cripps' keys to a content campaign



- Identify an issue that is driven by customer need, rather than one which is internally led.
- Bring a focused internal team together early enough to plan, execute and capitalise on the campaign potential.
- Map the client journey(s), referencing both rational and emotional needs and using the channels which make sense for them.
- Keep focused on the goals for the campaign.
- Be prepared to flex your approach, plan and resources as your campaign develops. Remember: "No plan survives first contact with the enemy" (Field marshal Helmuth von Moltke).
- Use social media channels to broaden engagement intelligently and to inform your campaign.

coalface. Having started to build a reputation as GDPR specialists, we were asked by other professional advisers to provide training to their clients, which gave us a platform to reach new contacts and prospects.

### Twitter – what is it good for?

Increasing our profile was a key goal, so we used a series of Twitter polls to reach well beyond our existing client base and inform ourselves more widely about issues and concerns around GDPR. Four poll questions ran over a month, enabling us to reach 120,000 followers of targeted accounts. This engagement was higher than we anticipated and was a welcome addition to our campaign, providing insight across a far wider audience than we could have reached through other media. We received more than 10,000 votes across the

polls, generating a 4x increase in new followers to our own account and a 9x increase in visits to our Twitter profile.

### Workshop smarter

Other than giving away advice freely at seminars, we also wanted to package a specific service alongside this. Experience has shown us that the level of support clients require varies considerably: while some are looking for proactive guidance in structuring each step of the process, others just want assurance they are heading in the right direction.

Using the five-step approach, the team therefore developed two GDPR workshops, providing practical commercial solutions for clients and prospects. The workshops were priced on a half-day or full-day basis, depending on the needs of the business, the size and complexity

of the organisation and how far along they were in the GDPR process.

### The results are in

- The campaign has provided a significant number of new business wins, including a major competitive tender.
- It has opened doors with new clients and given us the opportunity to broaden and deepen existing client relationships, introducing service lines not previously used.
- It has also raised our profile significantly. For example:
  - 12,800+ Hub page views
  - Social media reach (the Twitter Cripps accounts @crippslaw and @CrippsTechLaw, plus Cripps LinkedIn): 10,750+
  - Insider Media reach to 10,000 of their south-east subscribers.

With a keen eye on hard and soft costs, this content-led campaign has developed as interest in GDPR has increased. We translated our excellence in a complex subject into an impactful, practical, client-focused campaign.

Of course, it has also needed careful management of the impact on internal resources to deliver to the demands generated. However, the results have not only substantially raised our profile, but also enabled us to engage with national and international businesses, and generate significant new business. ▴





# Industry views

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# A cloud solution in every size



Whether they're going for global growth or geared to be nimble, Deniece Moxy, director of product marketing for iManage, says firms of all sizes see cloud as a more flexible and efficient option

**L**aw firms and legal departments around the world are taking advantage of cloud-based solutions to achieve new levels of collaboration and productivity while reducing ongoing cost of ownership. It's interesting to see that this movement is affecting firms of all sizes. Newly minted and larger, more established firms alike need to manage the mission-critical nature of managing client work product without imposing additional work on busy lawyers.

Cloud users benefit from continuous upgrades, zero downtime for maintenance, extensive scalability and sustainable performance, from

anywhere. By moving client work product to the cloud – or starting from scratch in the cloud – today's modern legal professional users can have access to all their important documents, emails and other files – anywhere, at any time, on any device.

## Rapid response

There are also clear strategic advantages. Established firms that are expanding their hiring efforts, acquiring or merging with another firm, or adding new offices around the country (or internationally) can leverage cloud-based solutions for their client emails and documents to help bring new offices and users online securely but as quickly



For more information, visit:  
[www.imanage.com](http://www.imanage.com)

these allow them to work the way they want to work. They require this flexibility, as they're no longer bound by the confines of their desks and offices. Moving to the cloud provides seamless access to all-important documents, emails and other files – no matter where they are or the device they're using. While matching the way busy, modern professionals prefer to work, this also transforms lost time into productive time and ensures optimal efficiency, so they can deliver even better work to their clients.

### Boutique balance

Meanwhile, for innovative and lean boutique firms, an important question for consideration is whether to deploy a solution via the cloud, or continue with on-premises option. Without dedicated onsite IT resources, smaller firms certainly need a reliable and easy-to-use solution. Cloud-based solutions can bring an easy, mobile-first user experience that allows their on-the-go professionals to easily search for, find and manage work product from the court, client meetings or remote office – on any device, anywhere, at any time.

These nimble firms can move to the cloud with ease, but also at their own speed, again transitioning with no business disruption. What's more, the entire move can be completely transparent to the firm's users, with absolutely no re-training required.

The upshot is that law firms or legal departments of any size can take advantage of cloud-based solutions to work more efficiently and achieve new levels of productivity while at the same time reducing capital expense for the firm. Whether they are expanding internationally, or simply needing quick and seamless access to the full range of their work product, cloud can provide a competitive edge to small and large alike, not least as it matches the way their employees now both need and want to work. ▶

**When the needs of the business expand, or an opportunity arises, firms need to respond to the development quickly to maximise their advantage**

as possible, while increasing agility and then keeping them up and running, without downtime.

The pressure is continuously on firms to find new ways of working and use technology to improve productivity and client service. When the needs of the business expand, or an opportunity arises, firms need to respond to the development quickly to maximise their advantage. The key to bringing new offices and users online is providing rapid access to the tools they rely on to stay productive – connected or disconnected – so they are never without access to critical work product, whether in high-, low- or no-bandwidth situations.

Increasingly, today's tech-savvy legal professionals also have a new expectation of a more modern user experience. They too want access to productivity enhancing tools, because



INDUSTRY INTERVIEW

# Late to the third party?

As the General Data Protection Regulation finally arrives – and means business – firms can no longer put off addressing their responsibility to fully understand exposure to third-party risk, says Sean O'Brien, managing director of DVV Solutions

**B**y the time you read this sentence, the European Union's General Data Protection Regulation (GDPR) will finally have been actioned and be in full effect. Law firms, like everyone else, are now required to demonstrate effective processes in their handling of personally identifiable information (PII) data, or themselves risk both the highly publicised new financial penalties and (harder to measure) potential long-term brand damage.

Sean O'Brien, managing director of DVV Solutions, says one key area of due diligence at most risk of underinvestment is the requirement to thoroughly risk-assess your full data supply chain.

"As businesses outsource an ever-increasing number of functions and services – albeit for justifiable commercial efficiencies – their level of exposure to cybersecurity risk significantly increases while their control of it diminishes."

"Businesses show a tendency to prioritise the risk of penetration into the organisation through

more direct means of attack, focusing expenditure on securing devices and internal networks," he explains. "While third-party risk is often recognised, the time and resources applied to it are disproportionately low."

This is backed up by research. For example, Bomgar's 2018 Privileged access threat report finds that two-thirds (66%) of businesses claim they could have experienced a breach due to third-party access in the last 12 months. And although three-quarters (75%) of businesses have seen supplier access to their networks increase, a third (33%) believe they spend too little time on monitoring third-party access.

"The problem is immaturity of process," says O'Brien. Businesses just aren't approaching risk in the right way. Ask yourself: What percentage of our data processing do we perform ourselves, and how much is outsourced? Then, critically: Is our spend on understanding and mitigating risks to our data and systems from third parties proportional?"

## Six steps to third-party GDPR compliance

- Identify all your third parties, subcontracted data processors and their data/system access
- Centralise your third parties into a single inventory
- Perform detailed GDPR assessments and collect relevant artefacts, for example via questionnaire
- Verify and validate third-party information, typically via onsite assessments for critical suppliers
- Act on GDPR risks, ensuring a clear audit trail of requests, actions and outcomes
- Continuously monitor third parties and report on changing risk profiles.

### Mind the procurement gap

In legal there may also be a structural issue. “We often come across larger firms with decentralised procurement processes. We even see no procurement process whatsoever – with partners purchasing IT services with little or no due diligence,” says O’Brien. “It is all too common to find firms don’t even know who all their suppliers are, the services they provide and the access they have. This all makes it impossible to get a firm grasp of risk and the regulatory compliance of the data supply chain, but regulations such as GDPR have raised the stakes,” he says.

While standards and frameworks such as ISO 27001 exist, they are not designed to specifically address third-party risk. However, some larger firms are now beginning to follow the rather better example from the banking world, he says.

Financial institutions have collaborated with membership organisation Shared Assessments to develop global standards in third-party risk assurance, including standardised information gathering (SIG) questionnaires and standardised control assessment (SCA) criteria.

As a member of Shared Assessments, DVV Solutions is able to realise its value. “With standardisation comes efficiency. Our clients can benefit from a globally recognised, third-party risk toolset built by their peers,” says O’Brien.

### One step ahead of uncertainty

Still, if you haven’t done so already, where to begin?

“When outsourcing a process involving PII you need to evidence responsibility for how that data will now be managed in a contractual form,” he says. There are also key understandings to be reached in said contract, such as jurisdiction of data storage, access rights, and any further subcontracting. “You may find you have fourth or even fifth parties to consider, with liability reaching right down the chain,” says O’Brien.

For more information, visit:  
[www.dvvs.co.uk](http://www.dvvs.co.uk)

DVV Solutions offers risk assessments of the controls third parties have in place, recommending remedial actions where required. But O’Brien warns: “Risk never sleeps. Periodic assessments provide a clear attestation from suppliers, but just reflect points in time. What happens in between? And how do you monitor data processors you have no contractual right to audit? Continuous monitoring is now becoming a critical element of third-party risk programmes, providing visibility of the threats and risks posed by all downstream suppliers.” DVV Solutions’ Supplier Threat Monitor platform provides a constant, validated stream of risk information for the entire supply chain across five risk domains – data, operational, financial, brand and regulatory.

### Complete once, share many

If you’re thinking that all sounds like a lot of work – O’Brien agrees. That’s where ‘shared evidence networks’ come in – systems designed to avoid needlessly repeating good due diligence and managing the spiralling risk pool more efficiently.

Tailored to the legal market specifically, DVV Solutions has launched the Legal Vendor Network (LVN) where members can both view existing supplier risk assessments and populate their own repository. “Many industries, including legal, have a common pool of third parties and suppliers, meaning we are asked to assess the same business several times over by multiple clients,” he says. “However, with each third party’s permission, we can now store standardised assessments and share them with other clients on-demand.”

“LVN is a much faster and simpler way of managing time-consuming workloads for all parties concerned. By greatly reducing the effort required to complete and collate survey responses, more time can be focused on what’s important: eliminating control gaps and reducing overall risk.”

GDPR is definitely a “game changer” in the world of third-party risk, he adds. “Firms should be responding to the threat of large fines to drive a third-party management programme that assures the security and privacy of their customers’ PII data, and ultimately benefits their own business.”

In theory, those slow to prepare for May 2018 have already had to switch up a gear and will be at a distinct commercial disadvantage. As we now enter the very first days of the age of GDPR, it may be time to put such a proposition to the test. ▲



# Zing in the north

Law firms are looking to digital innovation and new ways to stay ahead in an increasingly competitive market, says Catherine Walker, inward investment director at Invest Newcastle – and that may well mean a move up north

**T**he UK legal market is changing all the time, with the use of new and emerging technologies leading to a greater need for innovation in the sector. Other challenges currently facing firms include cost efficiencies due to competition, Brexit, more efficient servicing of international clients, increasing salary costs and the fight for talent in London and the south-east.

## Pointing north

With the inflated cost of running a law firm in London and the south-east there has been an increase in businesses looking for alternative locations in the north of England – a process called northshoring. Legal giant Norton Rose Fulbright and DRS – a company that assists organisations

with legal documentation – are examples of businesses who have made the move.

Local talent, a strong digital presence and international transport links are some of the main reasons why firms choose a location. “Newcastle benefits from geographical proximity to London and time zone convenience for both Europe and the US,” says Michael Beaton, director at DRS.

Law firms are also looking for locations where they can make savings on floor rents, rates and staff costs, all without compromising on the quality of services and delivery of work. Beaton adds: “An attractive and lower-cost business environment, sustainable wage growth, lower cost of living, high staff retention levels and traditionally low absentee/downtime rates were significant factors in our decision to move to Newcastle.”

For more information, visit:  
[www.investnewcastle.com/legal](http://www.investnewcastle.com/legal)

Norton Rose Fulbright chose the area for a new legal process hub. “There are a number of reasons as to why Newcastle is ideally placed for Norton Rose Fulbright, including access to a strong pool of local talent that is able to support our efforts globally, and the city’s strong and growing reputation for innovation and technology,” says Martin Scott, Europe, Middle East and Asia managing partner of Norton Rose Fulbright.

The firm uses the hub to approach legal work in a new way by trialling emerging technology and working practices. Scott says: “Our investment in technology, as well as artificial intelligence and machine learning, will be a growth enabler to drive process efficiencies, both at the hub, and as part of how we deliver legal services generally.”

### Innovation station

Being part of a strong and flourishing legal community has many benefits.

Established firms, such as Ward Hadaway, also continue to grow and innovate within the sector from their Newcastle bases. Alex Wright, a partner in the firm’s commercial property team, says: “Ward Hadaway’s real estate team has collaborated with City law firms on a number of national projects involving the transfer of multiple high-value properties. Being based in the north allows us to deliver the service at a cost-effective price compared to the City of London, but with no loss of quality to the client.”

Meanwhile, the future of legal employment lies more and more in digital and tech roles, so having expertise in these fields is absolutely crucial. Technical expertise presents a significant opportunity for digital innovation across legal and corporate services. Newcastle-headquartered Muckle is leading the way in the adoption of AI technology and predictive coding – also known as technology-assisted review (TAR) – to speed up dispute resolution.

Expertise within cloud computing and ‘big data’ will also continue to grow in importance within the legal market. Newcastle is home to the £30m National Innovation Centre for Data (NICD) – a nationally significant facility, delivered by Newcastle University, which provides an advantage for north-east-based legal businesses. Technical consultant at the centre, Steve Caughey,



Newcastle Helix, home to the National Innovation Centre for Data

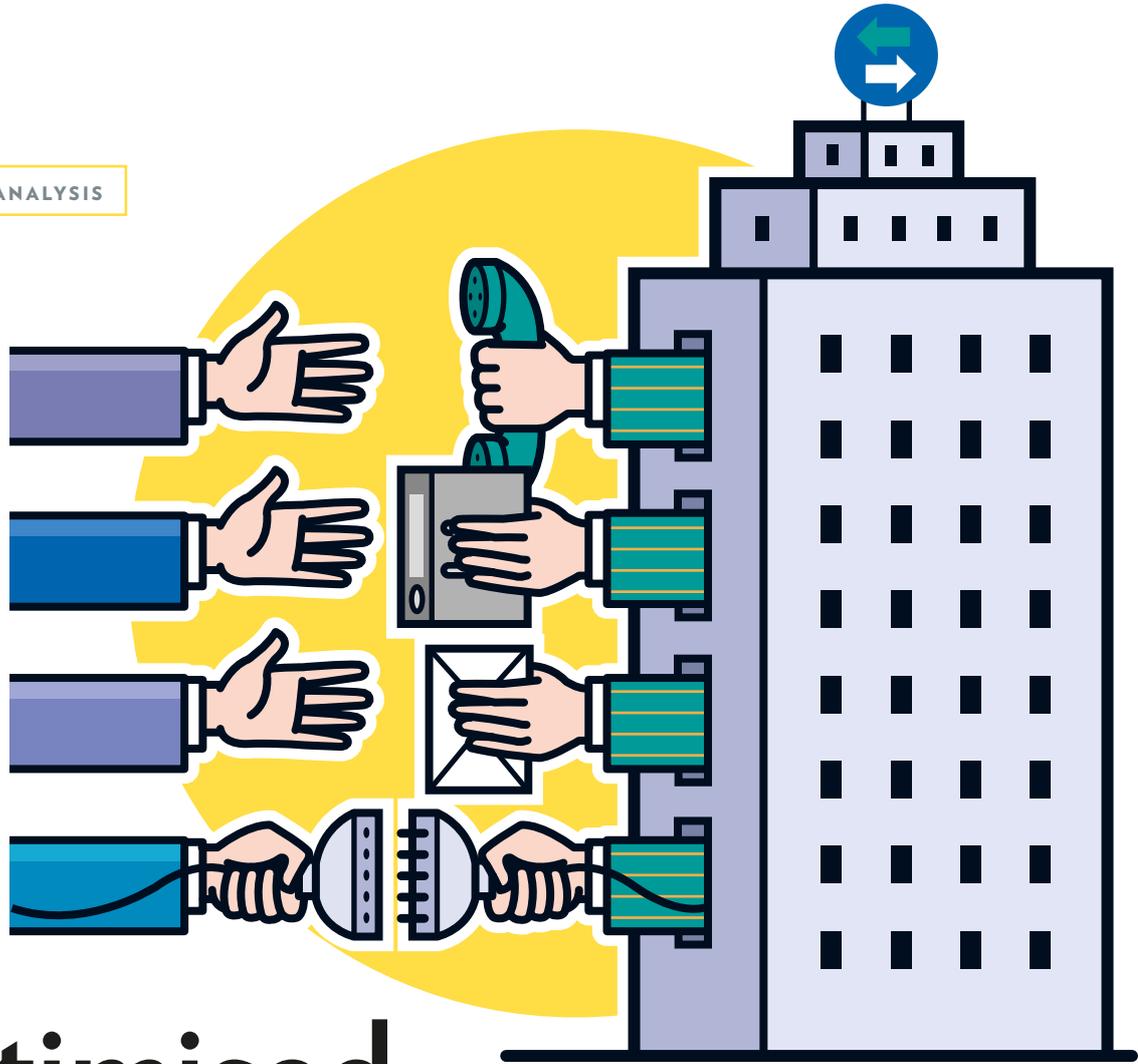
says: “Advanced techniques for extracting information from large quantities of data require data science skills, which are currently in very high demand. Lack of those skills will act as a brake on innovation in this space.”

Having academic researchers focused on new and emerging disciplines such as computer vision, artificial intelligence, and computational intelligence and visual computing (CIVC), helps to stimulate innovation in a city or region. Dr Guido Noto La Diega, co-convenor of NINSO (The Northumbria Internet and Society Research Interest Group), explains: “The growth of northshoring from London law firms in areas such as AI and legal-processing technologies should not be reduced to a matter of cutting costs. In Newcastle and the north-east, there is a thriving community of innovators, which makes the ‘Toon’ one of the main startup hubs in Europe. The opportunity to make capital off the cutting-edge solutions developed by local businesses is one side of the coin.”

Close collaboration between legal businesses and local education providers can only improve technologies within the sector. “The other reason for said growth is that Newcastle is home to two of the main universities in the UK and local law firms closely collaborate with our research centres,” says La Diega.

Technology skills and a cost-effective, low-risk environment are emerging as the key factors for law firms when looking at locations. For many, the future of employment in the legal sector is in digital-focused roles, and with 44,000 people in the north-east working in the creative and digital sector, Newcastle is the perfect location for legal innovation. ▴

## INDUSTRY ANALYSIS



# Optimised outsourcing

James Gilding at Mitie Document Management says there's more to an outsourcing arrangement than the optimum management of costs in a world of change

**J**ust like many other sectors of the UK economy, the legal sector continues to need to find new, better and more efficient ways of delivering improved service solutions for their clients.

Current trends include developing regional hubs, nearshoring, offshoring, outsourcing, redesign of existing office space and review of processes and automation options – but there is no magic formula which you can apply to guarantee successful improvements. Only your firm will know what works for your clients. When looking at how best to optimise costs and restructure a back-office environment, the opportunity presented by outsourcing is often not the first to be

considered, perhaps because legal is such a specialist field. However, with the right subject matter expert as a partner, this approach merits serious consideration. As well as efficiencies, it could also help you to deliver a robust improvement plan, fully supported by specialists.

## Viability, with added value

We are all too familiar with recent events in the outsourcing sector, including the demise of construction firm Carillion. This, I am sure, has made some people question the viability of a long-term sustainable change to a business process using an outsourcing approach.

The truth is that outsourcing does work, and it

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works well, if you pick the right partner to match your specific business requirements.

In most cases the move to a business process outsourcing (BPO) model not only delivers on the original objectives and goals set, it also leads to hidden benefits which were not originally considered at the planning stage. For example, my own experience within the legal and professional services field indicates that long-term sustainable partnerships are good for the business, lead to increased flexibility and increase the opportunities for the team members involved on both sides of the partnership.

Through development of new service delivery models within BPO, we are now seeing new team members, who are recruited, trained and developed by the outsourcing partner, move across to the client side. This is a result of the close working relationship allowing the firm to ‘try before you buy’, spotting potential talent within the supply partner organisation and recognising where that individual could add greater value within their own organisation. It’s a great way for talent to build experience from the ground up, with no risk to the firm and giving valuable alternative routes into a firm and career.

Outsourcing benefits are well documented. However, for me the really core business advantages are:

- Expert support
- Collaborative working and sharing of best practice
- Allowing greater focus on core activities
- Enhancing services to the end users
- The right partner creates new opportunities and helps your business to realise increased value for the long term.

### The business of BPO

A BPO partner can also support with best practice in areas such as redesigning the office layout and space/facilities usage management, automation and the application of appropriate technology, including AI, process flow review, offsite support and nearshore solutions.

But how do you know which of any combination of these will have potential benefit to

your business? A short BPO business review would be a great place to start to help identify opportunities and uncover any risks or challenges.

Here’s what to expect from such a review:

- An evaluation of operational models and consideration of different options from across the sector
- Full process appraisal, helping to identify current challenges to the business.
- Consideration of new ways of working. What solutions resonate with your business requirements and culture?
- Assessment of how industry leading KPIs and SLAs could be applied to drive specific service improvements
- Review of service-integration opportunities – focused on flexibility and agility of service
- Cost/benefit analysis
- Future cost avoidance
- PESTELE review to support future planning.

This looks at the external environment you operate in to understand how it may impact upon your operations. Identify threats and impact in political, economic, social, cultural, technological, environmental, legal and ethical (PESTELE) areas. This draws out threats and weaknesses, and can lead to a plan to build on those weaknesses and play to strengths. Whatever format it takes, it’s worth doing.

Charles Darwin said: “It is not the strongest of the species that survive, nor the most intelligent, but the one most responsive to change.”

That now applies to the business of law. Change is a constant.

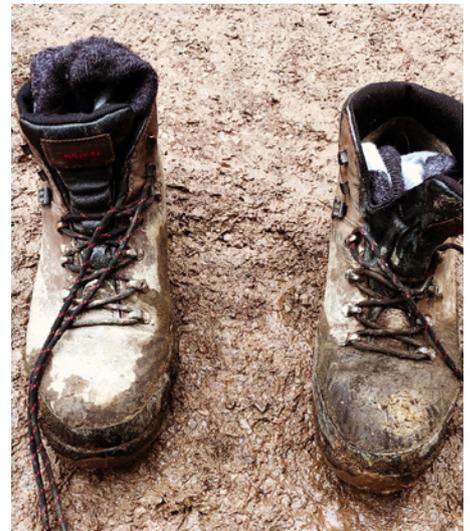
Ultimately, we are all in some way responsible for ensuring that we deliver the best possible service to our customers, and in the most cost-efficient way for them. However, due to the complex nature of how each of our businesses, its customer base and culture, has developed, there’s no one-size-fits-all solution.

If you really want to affect change and deliver a strategic competitive advantage for your business, my view is you will probably need a great team and some great partners on that journey to make it happen. A carefully considered and well-managed outsourcing agreement can definitely be a part of that picture. 

## OUT OF OFFICE

# Hard walk

Martyn Wells, IT director at Wright Hassall, is a stage-four malignant melanoma patient, and in the midst of preparation to walk the 211-mile Severn Way in 10 days. There's still time to join in ...



**P**revious top **Briefing** interviewee (and Wright Hassall IT director) Martyn Wells has always enjoyed a good stroll in the countryside – but has decided to switch the pursuit up a gear. In September 2018 he plans to walk the 211-mile Severn Way (the course of the river, from its source in the Cambrian mountains to its mouth on the Bristol Channel) in 10 days. In March 2017, he was diagnosed with malignant melanoma. He has had seven surgeries in 12 months, and began immunotherapy in May 2018. He and his many supporters are walking to raise funds for Macmillan Cancer Support and awareness of melanoma.

“I’ve always enjoyed the outdoors and have spent many days in the UK’s hills and mountains,” he says. “I’ve walked the Worcestershire Way before in a day – 31 miles and a 5,000-ft vertical ascent, but never committed to such a sustained and lengthy journey.

“I wanted a challenge that would be tough, need endurance and stamina, and that was somehow connected to where I live. The Severn Way runs half a mile from my doorstep. One day, walking the dog along the river, I looked first north upstream, then south downstream, and wondered: ‘Could I? Should I?’”

A few months ago, his preparation was interrupted. “It was going well – lots of low-mileage, high-intensity walking – and even some running – until my cancer returned with a

vengeance as a large tumour in my stomach. When my stomach was removed in March the surgeons severed my abdominal wall in a huge incision, so I’ve been recovering and allowing my core to heal before re-starting training. It’s been a massive disruption to my plans and fitness, and a bit of a worry. I’m going to have to work very hard now to get ready.”

But the wider UK legal community – as well as colleagues at Wright Hassall – is offering strong support.

“Each of the 10 days has a stage sponsor, who has committed to walk their stage with me. And friends, family, other melanoma patients, Macmillan staff, local press and radio, will join the walk each day, so it will be a fun atmosphere, winding through the beautiful British countryside.” And anyone who wants to take part can join any day between 1 and 10 September, he says – and walk as much or as little as they want. There’s no commitment to walk a full stage.

He adds: “Wright Hassall has been a pillar of strength to me. They provided amazing support while I was off, and were insistent on a soft return to work, despite my desire to get right back to the coalface. Now in my second period

**“I wanted a challenge that would be tough, need endurance and stamina, and that was somehow connected to where I live.”**

of absence, the firm is very patient and supportive. They know it won’t be long before I’m back ...” As well as welcoming a donation from the firm’s charitable trust, he thanks its social committee, which he says has been “busy press-ganging staff to come and walk the final leg with me. Sorry folks ... it’s one of the longest!”

The most difficult part? “For me this will be getting enough calories to keep me walking. I’ll be needing over 8,000 calories a day – and without a stomach I can’t eat any meal bigger than the size of the palm of my hand, so I need to eat at least eight times a day. This is going to be physically demanding, but also emotionally and mentally challenging. With so much support from peers, colleagues and the sector as a whole, and so much money for Macmillan Cancer Support on the line, there’s a pressure to get the job done properly. I think there’s going to be a lot of love, sweat and tears along the way. Just no blisters. Please.

“We’re announcing new collaborations all the time. Ordnance Survey has been really helpful providing digital and paper-mapping resources, Macmillan is helping with media and fundraising, and there will be some celebrity involvement too.”

Website [www.severnway2018.com](http://www.severnway2018.com) has both sponsor and registration pages. Anyone who’d like to walk needs to provide some contact details, for final details of start times and meeting points nearer to the event. **▲**



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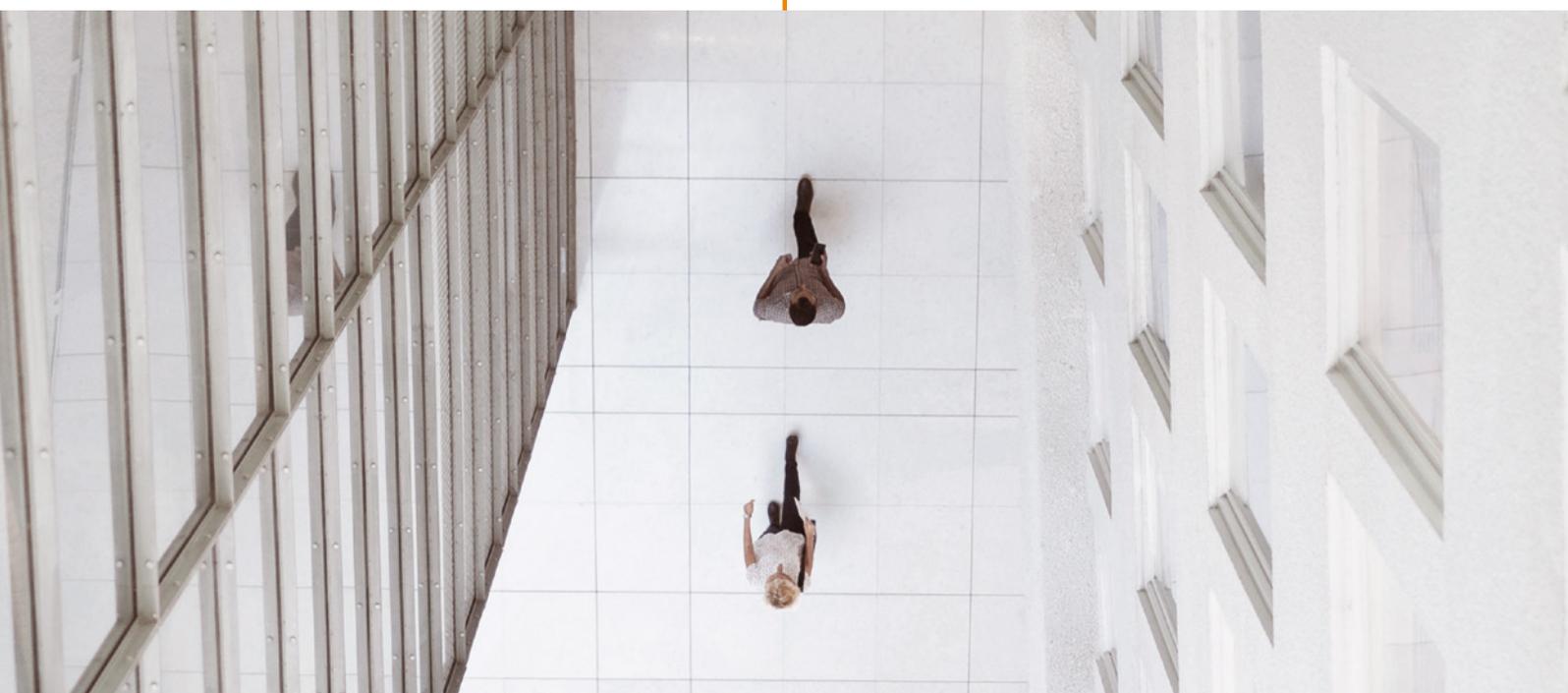
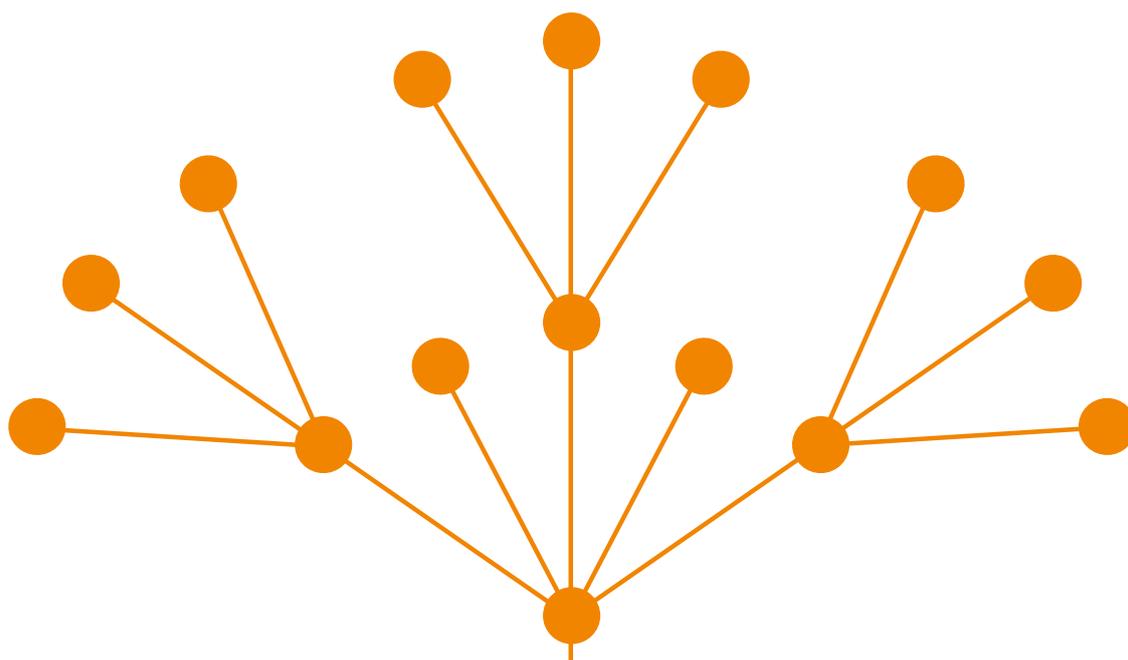
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