



# Fit for the future

Supporting efficient remote working is now an imperative for local government legal departments, writes *Simon Farthing*.

Covid-19 has transformed working practices universally and local government legal departments are no exception. *Local Government Lawyer's* recent survey of public sector lawyers shows that 89% of staff now work remotely, compared to a mere 29% in the pre-Covid-19 era. Interestingly, while historically reduced performance and attention to client management have been among the key reasons for preferring office-based working over remote working, 72% of lawyers claim working from home has made no difference to client relationship management and communications.

It comes as no surprise that the majority of lawyers are keen to work from home in the future too – only 4% of legal staff expect to revert to pre-Covid-19 office-based working with 78% expecting their employers to provide more flexible options for working here on in.

This poses challenges for management and heads of legal, who have found supervision of staff difficult, and may even prefer a return to the status quo pre-Covid-19. The reality, of course, is that remote working is very much part of our present and for the foreseeable future. The uncertainty surrounding the lifespan of the pandemic, and the need for social distancing means that space is simply not going to be enough to enable a complete return to office imminently.

## Challenges to remote working

Digital transformation has been a major focus area in the public sector for a few years now, so there is a fair amount of technology already deployed in legal departments. However, remote working during the lockdown has brought several issues to the fore. For instance, case, matter, and practice management systems are widely deployed, but some have proved to be less reliable and unfit for purpose in the remote working scenario. Why? Access to them requires constant and robust connectivity, among other things.

With the amount of documentation that is typically generated by lawyers, even in organisations where document automation technology was available, only a minority actually used it. The same applied to document bundling services.

Structural changes to the wider legal system are taking place too with online court hearings widely touted to become the norm. Here too, poor IT is challenging lawyers, clients, and judges alike.

During the lockdown, the lack of 'fit for purpose' remote working technology may have impacted legal department productivity, but there have been other difficulties also that potentially played their part. For example, stress due to significantly increased

workloads, micromanagement by leadership and juggling childcare and work were major factors.

## Approaching technology deployment to aid remote working

Fortunately, many of these problems are easily solvable with the right technology. In fact, many legal departments already deploy those technologies. As public sector organisations review existing IT budgets, systems, and resources to meet the needs of the new work environment, there are some key considerations that they'll do well to take into account:

### *Enabling intuitive supervision and compliance*

Employee supervision and process compliance takes place naturally in a physical environment – advice at the water cooler, unplanned discussion of a client or business problem in the office kitchen, requesting a colleague who is sat across to resend a particular email that an individual simply can't locate, and so on. Physical proximity in an office facilitates these kinds of informal safeguards effortlessly.

In a remote workforce environment, systems need to thoughtfully embed such protections and precautions in the form of timely review processes, escalation points, and such to ensure supervision. For

example, a case management system could be configured so that it includes summaries of activities and tasks undertaken by the teams on the respective case files to allow supervisors to monitor progress at critical junctures in the lifecycle of the matters. Similarly, by seamlessly integrating Microsoft Teams with such business-critical systems, virtual meetings could be automatically scheduled at important milestones to conduct case reviews.

#### *Remote collaboration capability for documents*

Lawyers often work collaboratively on documents. In a virtual environment, it's imperative that lawyers are reliably working on the latest versions of the authentic documents. Integrating the right document collaboration technology with the critical systems is essential, and today legal departments have many options – be it Microsoft Teams or a range of best-of-breed document management systems.

Additionally, in a remote environment, it's important that systems are set up so that documents worked on collaboratively are automatically and securely saved in the right case files and systems. In fact, legal departments can configure integrations between case management and document management systems in a way where employees have real-time visibility of documents and emails, regardless of which software they were originally filed to – while also complying with the security and audit processes of both solutions. Such in-built safeguards make remote working safe, stress-free, and productive.

#### *Resolving connectivity issues*

Many people working from home during the lockdown have suffered from connectivity issues, be that due to poor Wi-Fi in their homes, or bad server and VPN connections. Even in organisations that already had flexible working policies, critical systems were configured to support 'occasional' remote working by a limited number of employees. And some local authorities didn't support remote working at all. So, with the switch to remote working overnight during the lockdown, employees in some legal departments suffered more than others.

Most system connectivity issues can be resolved by re-configuring the systems to support wholesale remote working. The first port of call for legal departments should be to their system providers, who can assist by providing different ways of access, guidance on different interfaces that may better suit

homeworking or may even have newer product releases specifically built to support poor connectivity.

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#### *Enabling meaningful interactions*

In a dispersed working environment, there's no reason why public sector legal departments can't continue to have meaningful interactions with clients, even in the absence of physical, in-person meetings. Technologies such as Zoom and Microsoft Teams, of course, facilitate video conferencing and virtual meetings, which have become the default tools for communication and engagement across the board.

However, it is important to ensure that all groups of employees have access to these tools, but more crucially, are able to intuitively embrace them. Legal teams may well find that there is a group of people who may not be spontaneous adopters, but that can be changed by having a 'social' conversation about the benefits of technology to the individual. Technology must never become a barrier and so it needs to be provided to them in a way that is easily consumable.

To illustrate, Microsoft has done a great job in providing organisations with the tools to help employees collaborate and at the very least maintain productivity during the lockdown. Perhaps think about extending and making that Microsoft experience seamless across other systems, such as matter and case management. If a user is creating a document within the case management system, the time spent by the individual could be automatically captured in the time recording solution. If an individual is exchanging notes with another team member, they could be simultaneously recorded in the master case file.

Similarly, to facilitate interaction with customers, legal departments can easily set up portals within their legal workflow system to enable things like setting up new instructions,

undertaking identification checks, and monitoring the progress of a case.

#### *Single source of the truth*

Typically, people store information in different places, such as share drives, email inboxes, on the organisation's network, and so on. In a widespread virtual working environment, this scenario can pose a significant challenge to employees. Instituting a single system of record is essential to establishing a single source of the truth. It enables employees to work as a team, despite being remote as they can have complete, real-time visibility of documents, emails, project status, to do lists and such – thereby facilitating collaboration, productivity, and efficiency.

#### **An eye to the future**

This pandemic has completely shaken the foundations of well-ensconced processes, mindsets, and approaches. Best designed business continuity plans have been found wanting as organisations adapted overnight to new working practices. If ever there's been a need for proof, Covid-19 has irrefutably demonstrated that agility is key. Public sector legal departments and indeed every business and organisation, must have an eye to the future, adopting a truly proactive mentality. Fundamental to this is continuously optimising existing technologies to devise new ways of working and support evolving business models.

Departments will do well to think carefully about the systems they invest in, in order to ensure that those solutions themselves are designed to evolve to meet the unforeseen requirements of the future. While we adapt to the 'new normal' today, almost certainly, a 'newer normal' will once again emerge unannounced and test us. And yet again, the organisations that have agility and adaptability woven into their organisational fabric, are the ones that will fare the best.

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