

This Month

- **Avoiding the consequences of client data breach**
- **Efficiency, productivity, cost saving with multiple databases and documents**
- **The traditional way of managing performance is broken - solution**
- **Getting those documents produced**

The Consequences of client data breach

I have often tried to make clear the responsibility of business owners to minimise risk and protect their businesses. Data security is a massive element these days and cannot be avoided - the image, financial and compliance risks are there.

I am aware of a number of data breaches within firms in the last month – one very high profile, so I consulted with leading compliance guru Brian Rogers Brian.Rogers@theaccessgroup.com who clarified some of the consequences

“June saw Gateley become the latest law firm to have client data stolen in a cyber-attack, and as a consequence had 3% wiped off its share value.

Such events however won't only impact on the market valuation of a firm on the stock exchange, but also on its reputation and standing with regulators, for example, the firm has had to report matters to both the Solicitors Regulation Authority and the Information Commissioner's Office.

In addition, data loss is seen as a serious issue by professional indemnity insurers, especially in the current hard market; firms like Gateley may be able to cope with paying high excesses and increased PII premiums as a consequence, but smaller firms may not be so lucky, so it is key that data protection is taken seriously and systems put in place to minimise the risk of becoming a victim of cybercrime”.

The joys of homeworking and flexibility for locations and public and private cloud are with us to stay but it has to be done right. In the context of responsibility, accountability, contracts and validate suppliers, last August article [August2020.pdf \(professionalchoiceconsultancy.com\)](#). With some consistent opinions from recognised suppliers.

- Many law firms have coped with home working but are suffering from efficiencies – lack of capacity for multiple connections on servers and infrastructure. Capacity needs planning for servers and networks
- There are significant risks to security and compliance where the partial and interim solutions have been made by non-specialist suppliers. This applies to servers, laptops, mobile phones
- Firms are recognising that their IT needs to be more forward looking to enable competitiveness in a rapidly changing market – new and focussed applications have to be deployed well and quickly – efficiency, staff and client communication demands

In this April's “actions and considerations” [April2021.pdf \(professionalchoiceconsultancy.com\)](#) more clarity that needs to be reviewed.

In June – The Law Society of E & W published this [Improve your cybersecurity by switching to an agile digital workplace | The Law Society](#) by Jonathan Ashley ja@everythingthatis.cloud who is CEO of provider www.everythingthatis.cloud which confirms many of the points to be accounted for.

Mergers, acquisitions, new software and documents

A potential added value add to speeding the process, ensuring document availability, quicker access to data and saving money.

We are already seeing more mergers and acquisitions of law firms over the last 18 months and I cannot see the process slowing down as lock down eases and how it happens often depends on the attitude of the acquirer towards the changes. We need to speed and make the process more effective including where necessary different software application conversion and consolidation.

Always on the look out for added value contributions, in June I was introduced to david.hartley@malumasolutions.com of www.malumasolutions.com

The product **Fusion**

- Eliminates the cost of retaining legacy systems acquired as part of mergers or by moving to a new CMS/PMS.
- Removes the need to keep skills related to accessing information in legacy systems..
- Helps to control spending on paper archive storage and deleting information from the firm at the required time.
- Some firms have matched their electronic files to the paper versions, legitimately removing 60% to 95% of the data (and related paper) from these old systems.
- From a compliance perspective this is a massive risk avoided and the cost savings (after the initial destruction costs) are potentially staggering.
- Can be used as part of a digital transformation strategy to manage the electronic archive from production systems in line with the firms data retention policies.

The product **DataSync**

- Adds value in being a platform on which to build reports, KPI's and MI – particularly for systems based upon Progress OpenEdge of which there are many.
- Has real time replication ensuring reports are as up-to-date as possible.
- Data can be integrated with other systems or built into automated processes, cutting the need for manual intervention, improving the consistency of services and adding a whole new degree of flexibility.
- Can provide a trigger in Microsoft SQL for onward processes based on real time updates in Progress OpenEdge .

The traditional way of managing performance is broken - solution

Research by MLS Advantage provider www.weekly10.com has identified that for many businesses people processes used within organisations, haven't changed all that much for the vast majority. And that's a problem. "In fact 80% of employees who have an annual or bi-annual performance review say that they don't get value from their existing performance management process".

In addition there are massive changes brought about by the new working environment that is with us to stay as well as expected differences between the generation's needs – previously covered

Currently

- Performance reviews are untimely and often lacking in evidence for 10 months before
- Performance reviews are often based on subjectivity rather than being objective – needed for lasting performance improvement
- Performance reviews are too process-focussed rather than content – too much about getting the job done as opposed to lasting improvement

- Traditional annual review and appraisal processes have a high admin overhead with efficiency the KPI rather than multiple considerations

The Future

Moving away from annual/bi-annual performance reviews to something more continuous, focusing on tools such as frequent employee check-ins and regular performance conversations or 1:1s supported by quarterly (or monthly) lightweight reviews.

- *Real-time* - With the right tools, performance can be managed in near real-time meaning goals (or OKRs) can be tracked and adapted as required, becoming a more collaborative process.
- *Objective* - Each conversation is far more likely to be based on real events based on evidence and transparency, with action-orientated outcomes.
- *People-focussed* - The process becomes more people focussed as employees are empowered to own their development. It helps move away from sending employees on training courses for development, when most people develop on the job when given the time to reflect.

www.weekly10.com for Microsoft Teams delivers a ready to go, Microsoft approved solution for moving to a continuous performance process that IT can check out in little time and approve even quicker. Demonstrations available

Getting those Documents Produced

As we are all aware many firms have been forced into changing working methodologies with the lock down, working from home – flexibly and remotely – with or without the right IT and all along clients have needed to be serviced and they are expecting more and more. Whether it be conveyancing, commercial property, employment issues, Wills, LPA, Probate, litigation there is an expectation and a need. Technology has enhanced and many are now sharing documents electronically and utilising electronic signatures. Those documents however have to be produced in the first place and because of non-availability of support staff we are seeing backlogs and in some cases lawyers typing originals. Neither cost effective of client relationship friendly.

This is a key area to be considered in the return-to-work strategy – what percentage of people are likely to be in the office locations, is there an opportunity to save space and costs and also be more efficient and save support costs. So along with telephone reception, telephone management and call direction, document production is clearly on the list for formal consideration.

I spoke with Martyn.Best@documentdirect.co.uk and Tracey.Longbottom@documentdirect.co.uk MLS Advantage member www.documentdirect.co.uk who are clearly seeing that this is on the list for firms of all sizes.

People will be going back to the office but not necessarily every day for general mental health improvement, working with colleagues and getting developed and mentored, however also looking for a nicer enhanced environment for work and also socialising – break out zones and the like. All very important but at the end of the day everything needs to result in enhanced client service which includes communication and document production.

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