

## **LEGAL ADVICE AT THE UNIVERSITY**

### **PROTOCOL FOR OBTAINING EXTERNAL LEGAL ADVICE**

The Legal Advisers at the University are based in the Office of the University Secretary. The Senior Legal Adviser is David Jolly and he is assisted by the Legal Advisers, Lisa Slater and Alan Briggs.

All are qualified solicitors. They provide advice and assistance to all academic and administrative Departments within the University and are responsible for liaising with external bodies and lawyers as required.

The Legal Advisers are not able to offer advice to staff or students on personal matters.

The Legal Advisers are able to provide advice on a wide range of issues affecting the University including the following:-

- Governance issues
- Drafting and advising on commercial contracts
- Matters arising from the Freedom of Information Act and the Data Protection Act including Subject Access Requests and FOI enquiries.
- Advice on employment matters
- Student Complaints and Appeals
- OIA complaints
- Property matters and related contractual issues
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The above list is not exhaustive. The Legal Advisers based within the Office of the University Secretary do not deal with matters relating to the Intellectual Property Rights of the University or research related agreements. These are handled by the solicitors in the Intellectual Property and Legal Services Office.

Wherever possible the Legal Advisers will provide the necessary advice inhouse.

However, there will be occasions when it will be necessary to consult external lawyers who will be able to provide the specialist advice which is sought. On those occasions the Legal Advisers will make the decision as to whether such specialist advice is required in consultation with the University Secretary and the department concerned.

The Legal Advisers' budget does not include provision for consulting external lawyers on specific matters and therefore authorisation to commence work that will attract fees must be obtained from the relevant Dean or Head of Department.

Instructions from the University to external Legal Advisers must be directed through the University Secretary's office via the Legal Advisers unless agreed otherwise by the Senior Legal Adviser. This will enable accurate, relevant and timely advice to be obtained and costs to be monitored in accordance

with agreed terms and conditions of business. It also enables the University to monitor its use of individual lawyers, to assess where a tendering exercise is desirable or required, given the volume of business and to be a single source of information about the performance of external lawyers. Members of the University are asked to adhere to the following procedure in the event that legal advice is required:-

Please contact any of the Legal Advisers within the University Secretary's Office as soon as possible to establish whether the matter can be dealt with in-house or whether external lawyers need to be instructed. It may be necessary to arrange a meeting with one of the Legal Advisers to establish the complexity of the specific matter.

If external lawyers are instructed, then the Legal Advisers will request that all correspondence is dealt with via the Advisers except where in certain specialised cases it is agreed otherwise. This will ensure that wherever necessary the Legal Advisers are able to input assistance when required, thereby keeping costs to a minimum.

Appointments can be made to see the Legal Advisers by contacting their secretary, Karen Gleave (Ext 5024, E-mail – [K.A.Gleave](mailto:K.A.Gleave)).

David Jolly  
1 September 2015