



**UNIVERSITY OF
LIMERICK**
OLLSCOIL LUIMNIGH

Legal Services Unit

**Operating Model and Procedures
for seeking legal advice**

Approved by Executive Committee July 2021

1 Introduction

1.1 Overview

This document sets out the operating model for the Legal Services Unit (“LSU”) at the University of Limerick and documents the procedures for seeking internal legal advice. It also sets the procedures for engaging external legal services and the University’s expectation of its external legal advisors.

1.2 Objective

The objective of the LSU is to support the strategic objectives of the University by providing legal advice and support on legal matters arising in the course of University activities. These include the following areas:

- Legislative and regulatory compliance
- Contractual agreements
- Research agreements and compliance with State Aid, competition and other applicable laws
- Litigation and liability matters
- External complaint and appeal processes / dispute resolution
- Legal issues in student related matters
- Input in development and review of UL policies and procedures
- Input in development and review of Statutes and Regulations

2. Operating model

The LSU operates as a centralised unit as a function of the Office of the Corporate Secretary. The LSU provides legal advice and support across the University’s activities and business needs in the areas outlined above. The LSU makes referrals on legal matters to external legal firms where considered appropriate by the University Solicitor and following discussion with the Chief Corporate Officer or relevant Dean/ Vice President/ Director. Referrals to external legal firms may arise due to the

complexity, speciality or urgency of the legal issue arising. External legal advisors are engaged under the terms of the sectoral level Legal Services Framework.

3. Procedure for seeking legal advice

3.1 The procedure for seeking legal advice is set out below:

- i. A request for legal advice is initiated by way of email request to the University Solicitor – legal@ul.ie
- ii. The email must be titled “Request for Legal Advice”. This is to ensure that the advice will be protected by legal privilege where appropriate.
- iii. The email should specify the following information:
 - A summary of the issue - attach relevant documentation
 - The timeline required for a response
 - Indicate if legal advice on this issue/ related issue has previously been obtained (and where so, attach a copy).
- iv. A response will be provided by email to the individual requesting the legal advice confirming if the legal matter will be dealt with internally or if it requires external legal advice from a firm on the University's external Legal Panel, and the indicative timeframe for a response.
- v. If the matter is referred to an external legal firm, the University Solicitor will be the initial point of contact for referral and will act as the conduit between the external legal firm and the individual who requested the legal advice.
- vi. Referrals for external legal advice will be made in line with the Legal Services Framework.

4. Engaging legal services from external legal firms

4.1 Where an identified need arises, the University engages legal services from external legal firms. The engagement of external legal advice will only take place following interaction with the University Solicitor and clarification that it is in order for such advice to be sought. External legal firms are engaged in line with the Multi Supplier Framework Agreement for the Provision of Legal Services to the University Sector PLI087F (the “Legal Services Framework”).

The Legal Services Framework has 8 separate lots covering the following range of services:

Lot 1	Commercial, Corporate & Information
Lot 2	Estates Management & Capital Development
Lot 3	Employment
Lot 4	Intellectual Property
Lot 5	Procurement & Competition
Lot 6	University Affairs
Lot 7	Research Services
Lot 8	Multi-Disciplinary Services

- 4.2 Only certain individuals are authorised by virtue of their function and/or role to engage legal services directly from external legal advisors in relation to specific legal lots. Such individuals are set out in [Appendix 1](#). This authority may not be delegated.
- 4.3 Where an authorised individual engages directly with an external legal firm, the University Solicitor must be informed of the engagement and when the matter has come to a close. The LSU will liaise with their colleagues in Finance to produce an annual report on expenditure on external legal services for submission to the Executive Committee and subsequently, the Governing Authority through its Finance, HR & Asset Management Committee. This report will issue to Executive Committee in parallel with the timeframe for the development and consideration of the University's Annual Report in the form of the financial statements.
- 4.4 The University may draw down the services of external legal firms from the Legal Services Framework on a direct drawdown or competition basis. Where authorised individuals engage the external legal firms directly, the LSU will advise the appropriate drawdown mechanism and/ or lead firm for each lot.

- 4.5 It is the responsibility of each individual who engages external legal services directly to ensure that they are compliant with this Legal Service Framework. Any queries on compliance may be directed to the LSU.
- 4.6 The University has clear expectations of its external legal firms and the principles upon which it engages their services. These are as follows:
- Legal advice that is clear and concise, specific, practical and readily applicable, rather than theoretical or equivocal
 - Value for money/ efficiency with no duplication of services*
 - Appropriate response time
 - Relevant expertise
 - Access to appropriate level of advisor within the firm
 - In line with the University's risk appetite statement
- 4.7 It is the responsibility of each individual who engages external legal services directly to ensure that they are cognisant of the above principles and that they seek to apply them in their engagement with external legal firms. This may mean, for example, ensuring that there is no duplication of service (that legal advice on the same query has not been previously sought); that the instruction is clearly defined; that the appropriate level of advisor is assigned within the firm.

* Advising the LSU at the commencement of seeking external legal advice will enable the effective monitoring of work to avoid a duplication in seeking advices.

Appendix 1
Authorised Persons

Appendix 1

Persons authorised to seek external legal advice in line with the Legal Services Framework are set out hereunder:

All lots	<ul style="list-style-type: none"> • Chancellor • President • University Solicitor
Lot 1 – Commercial, Corporate & Information	<ul style="list-style-type: none"> • Chief Corporate Officer • Chief Financial & Performance Officer • Director Management Planning and Reporting • Corporate Secretary • The following individuals following explicit approval by the Corporate Secretary: <ul style="list-style-type: none"> ○ Data Protection Officer ○ Information & Compliance Officer
Lot 2 – Estates Management & Capital Development	<ul style="list-style-type: none"> • Chief Corporate Officer • Chief Financial & Performance Officer • Director Buildings & Estates • Director Management Planning and Reporting
Lot 3 - Employment	<ul style="list-style-type: none"> • Chief Corporate Officer • Director HR • The following individuals following explicit approval of the Director <ul style="list-style-type: none"> ○ Deputy HR Director/Head, HR Service Engagement ○ Head, HR Central Services

<p>Lot 4 – Intellectual Property</p>	<ul style="list-style-type: none"> • Vice President Research • The following individuals following explicit approval of the Vice President Research: <ul style="list-style-type: none"> ○ Director of Technology Transfer Office (TTO)
<p>Lot 5 – Procurement & Competition</p>	<ul style="list-style-type: none"> • Chief Financial & Performance Officer • Financial Controller Operations & Research • Head of Procurement & Contracts
<p>Lot 6 – University Affairs</p>	<ul style="list-style-type: none"> • Chief Corporate Officer • Corporate Secretary • Chief Financial & Performance Officer
<p>Lot 7 - Research Services</p>	<ul style="list-style-type: none"> • Vice President Research • The following individuals following explicit approval of the VP Research: <ul style="list-style-type: none"> ○ Director Research Support Services ○ Research Contracts Solicitor
<p>Lot 8 - Multi-Disciplinary Services</p>	<ul style="list-style-type: none"> • Chief Corporate Officer • Corporate Secretary