KTP Associates Conference 2017
Birmingham
Professor Tim Softley
Pro-Vice-Chancellor for Research and Knowledge Transfer
UNIVERSITY OF BIRMINGHAM
Knowledge Transfer Partnerships

My KTP Journey

By

Krishna Chaitanya Balthu
Background

Skills & Education

- Engineering
- Tangible
- Reductionist
- Hard systems thinking
- Mechanistic

Current Role

- Management
- Intangible
- Holistic
- Soft systems thinking
- Human-centric
Law firm operations

Degree of Interaction & Customisation

Low
Service Factory
- Airlines
- Hotels
- Recreation

High
Service Shop
- Hospitals
- Auto Repair
- Other Repair Services

Low
Mass Service
- Retailing
- Wholesaling
- Schools
- Retail Banking

High
Professional Service
- Lawyers
- Doctors
- Accountants
- Architects

Source: Schmenner (1986)
Challenges in legal sector

- Threat of new entrants
- Inefficient processes and procedures
- New generation of online purchasing clientele
- Pressure from clients for competitive pricing
- Paradigm shift towards client led service
- Reticence to approach clients directly
Understanding status quo

Understand Culture

Design a suitable intervention

Source: Balogun & Hope Hailey (2008)

Source: Clegg (2007)

High Volume – Low Variety

Road Traffic Accident Claims
Wills and Probate

Commercial Property

General Litigation
Corporate Services

Low Volume – High Variety

Source: Hayes & Wheelwright (1984)

Deliver improvements in 5 departments
Claimant’s Dispute Resolution Solicitor aims to reach a Settlement

An On-Going Dispute has been registered by a Private Client or a Company Client.

The Claimant provides contracts, evidence and documentation, which includes legal arguments, professional negligence, and IPR. The dispute involves shareholder problems.

Forecasts are discussed with the claimant’s Barrister, who prepares pre-trial documentation. The claimant’s Barrister sends this documentation to the claimants.

The claimants offer to settle out of court, leading to a go to court decision. The Barrister may provide further instructions and issue formalised instructions in the pre-trial phase.

Settlement negotiations involve the defendant’s Barrister, who prepares a payment plan. The defendant’s Barrister prepares a post-dispute activities plan.

Case Factors include type of case (vague or clear), complexity of case, claimant’s happiness, e’s, and fee recovery.

Defendants offer a decision, which must be accepted or rejected. The solicitor must constantly reassess the case to make an overall decision.

The dispute is managed by the solicitor and barrister, with co-management by the claimant and defendant’s teams.

Court Hearings may result in a go to court decision, leading to the court formally involving barristers. The dispute is likely to be contested by the defendant.

The dispute is managed by the solicitor and barrister, with co-management by the claimant and defendant’s teams.

Other stakeholders include expert witnesses and actual witnesses.

Settlement offers and counter offers are returned to the solicitor, who must constantly liaise with the parties. The decision to accept or reject the offer results in a settlement.

The dispute is managed by the solicitor and barrister, with co-management by the claimant and defendant’s teams.

Claimant’s Dispute Resolution Solicitor aims to reach a Settlement.
An On-Going Dispute has been registered by a Private Client. The Claimant, along with the Company Client, provides evidence and documentation, including contracts, legal arguments, IPR, professional negligence, and shareholder problems.

The Claimant’s Dispute Resolution Solicitor aims to reach a settlement. This process is managed by a Defendant Team, which includes Barrister, Solicitor, and Defendant. The Defendant manages Post Dispute Activities.

The settlement can be an out-of-court settlement, payment plan, or an injunction. The process is based on Process Oriented Holonic (PrOH) Modelling (Clegg B.T, 2007).
Claimant’s Dispute Resolution Solicitor aims to reach a Settlement

- What are the merits of the case?
- Has our client disclosed everything?
- Can scope be agreed?
- What fee is appropriate?
- Does the case need re-scoping?
- How does the client ‘feel’?
- How to ensure client follows legal advice?
Claimant’s Dispute Resolution Solicitor aims to reach a Settlement

An On-Going Dispute has been registered by a Private or Company Client.

The Claimant provides evidence and documentation, which may include contracts, legal arguments, IPR, professional negligence, and shareholder problems.

The Dispute Resolution Solicitor receives this information and discusses it with the claimant. The solicitor considers the claimant’s position and evaluates the complexity of the case to make an overall case decision.

The value of the claim, the type of case, and the number of parties are factors that influence the decision. The solicitor also considers the Joe’s of time, claimant’s position, happiness, complexity of case, location, and area of law.

Based on the decision, the solicitor may accept or reject the claim. The type of case can be clear, vague, small (£5k), fast-track (£5-25k), multi-track (>£25k), or no. of parties.

The solicitor may negotiate a settlement, a payment plan, or decide to proceed to court.

Other stakeholders involved include expert witnesses, actual witnesses, and defendant’s team, which may include solicitor, barrister, or undercover police officer.

The area of law, location, problem, area, and happiness are factors that influence the decision to proceed or settle.

In the end, the claimant offers a settlement, and the dispute is formalised in a payment plan.

In the absence of a settlement, the court hearing is co-managed by the solicitor and defendant.

Post Dispute Activities include negotiations, legal arguments, and court hearing.
An On-Going Dispute has been registered by a Private Client. The Claimant provides evidence and documentation, contracts, and IPR. The Company Client provides evidence and documentation, professional negligence, and Shareholder problems. The Claimant's Dispute Resolution Solicitor aims to reach an out of court settlement, payment plan, and an injunction. The defendant's counter offer is returned to a decision made by the defendant's team. The钡t must make a go to court decision, which results in a court hearing. Expert witnesses, other stakeholders, and actual witnesses may co-manage the post dispute activities.
Claimant’s Dispute Resolution Solicitor aims to reach a Settlement

- **Claimant(s)**
  - Dispute Resolution Solicitor
- **Company Client**
- **Private Client**

**Case Factors**
- Type of Case
  - clear
  - vague
- Value of Claim
  - Multi-track
  - Fast-track
  - small <£5k
  - £5-25k
  >£25k
- No. of parties
- complexity of case
- location
- area of law

**Claimant’s position**
- happiness
- E’s

**Defense**
- defendant’s offer decision
  - accept
  - reject
- counter offer
- returned to
- must make
- must constantly liaise with
- results in
- to detail

**Other Stakeholders**
- Expert witnesses
- actual witnesses
- Other Stakeholders

**Claimant’s Dispute Resolution Solicitor**
- makes a
- instructs barrister
- prepares pre-trial documentation
- prepares payment plan
- prepares out of court settlement
- prepares injunction
- to detail
- to formally involve
- to make overall"
Change Levers

Focus Groups

Action Teams

Agile Development of Innovative Tools
Innovative tools delivered

Working Prototypes

**Client Engagement Model (Commercial Property)**
Helps align the clients’ and lawyers’ unique perspectives in 4 areas: price, value, responsiveness and legal knowledge.

**Budgeting Tool (Dispute Resolution)**
Enables lawyers to accurately scope cases, prepare budgets and agree price with clients.

**Scope Change Indicator (Corporate)**
Helps in calculating the scope creep and its impact on the initial fee estimate.

**Fee Seesaw (Corporate)**
Enables lawyers to effectively communicate any variations to agreed fee and renegotiate with clients at various stages in the case.

**Case Assessment Radar (Dispute Resolution)**
Helps manage client expectations and costs throughout the progression of the case.

Frameworks

**Client selection and on-boarding methodology (Commercial Property)**
Helps win new clients and focus on building long term relationships.

**Work Allocation Procedure (Commercial Property)**
Provides guidance for lawyers on managing workload and handing over clients to colleagues.

**Administrative Protocols (Corporate)**
Enable lawyers and secretaries to delegate and turnaround work seamlessly.

**Best Practice Guide (Litigation)**
Provides an overview of all the administrative procedures for managing litigation matters.

**Life Cycle of a Business Client (Corporate)**
Provides an overview of all key activities from first client contact through to transaction completion and post completion activities.
Impact on business

- **22** Service improvement workshops
- **165** client interviews
- **117** Staff trained
- **30** Press articles
- **30** Press articles
- **15** invited speeches & presentations
- **6** figure impact on profit

International recognition as a role model for Innovation

Positive % growth in profits and revenue
Awards and Recognition

Glyn Morris was shortlisted for UK “Finance Director of the Year” Growing Business category in March 2014.

Krishna was shortlisted for KTP “Business Leader of tomorrow” October 2013.
Briefing magazine published a case study on our project highlighting our methodology as unique in the industry!

Developing Leaders magazine published an article about the importance of change in the legal industry and Higgs’ contribution as an early innovator.
Towards a Higgs Service Suite

Client Journey:
- Beginning:
  - About Us

- Middle:
  - Agreeing billing methods
  - Agreeing Assumptions
  - Stage Pricing
  - Pricing based on work breakdown

- End:
  - Keep in Touch
  - Social media
  - Higgs events
  - Seminars

Evidence/ Capability/ Knowledge:
- Enquiry Handling
  - Protocol
  - FAQs
  - Brochures
  - Welcome Pack

- Pitch Documentation
  - Fast track pitching
  - Pitch team
  - Follow up procedure
  - Client case study articles

Work Division:
- Project team
- Scoping
- Project plan

Due diligence:
- Client Selection and On-boarding
- Client’s guide to service

Managing changing expectations
- Time Recording
- Monitoring WIP and Fee estimates
- Monitoring debt

Quantifying impact and communicating value
- Business life cycle and various touch points

Cross Sell

Other Data

Post Completion
Key lessons

• Create initial successes and establish credibility
• Innovation doesn’t require massive investments
• People are key in change projects
• Quantify the benefits
• Communicate your findings to wider audience
True role of KTP Associate

• Not just a Manager but a Leader

• Not there to simply Execute the plan but to Innovate

• Both Researcher and Consultant

• Both Product Developer and Sales Man
Quintessence of KTP Associate

Associate

I am capable but need a lever & fulcrum

Strategic Issue

A boulder needs moving

KTP Project resources

Innovation
“Give me a place to stand and with a lever (and fulcrum),
I will move the whole world”

Archimedes
Glyn Morris
glyn.morris@higgsandsons.co.uk

Ben Clegg
b.t.clegg@aston.ac.uk

Krishna Balthu
krishna.Balthu@higgsandsons.co.uk
Mark Smith
Director of Enterprise and Employability
BIRMINGHAM CITY UNIVERSITY
Awards

Presented by Jose Freedman and Russ Bromley

Categories

Posters:
- Best early - mid stage KTP poster
- Best established KTP poster

Presentations:
- Best presentation
Professor Paul Maropoulos

Pro-Vice-Chancellor, Research and Knowledge Exchange

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Thank you for attending the KTP Associates Conference 2017!