



# Reduce the Risk of Working Remotely

The coronavirus situation has meant that many solicitor firms have had no option other than to introduce home-working solutions for their staff. Whilst some firms will simply be expanding their existing virtual offices, others might have had nothing in place previously and might have had to make the shift suddenly and unexpectedly.

This guide highlights those areas where remote working might lead to increased risks of claims and provides some top tips to help mitigate against those risks.

## Supervision

Firms will want to ensure that a move to remote working does not affect proper supervision, mentoring and the quality of work being delivered to clients. When working remotely, having separate staff and systems doing various tasks remotely can prevent senior staff from seeing the bigger picture and result in difficulties.

### Top Tip

Your IT systems should allow for inter-connectivity, data sharing and regular catch-up discussions across the firm. Arranging regular meetings, whether by audio or video conference, should help prevent teams working in silos and help ensure there are appropriate mechanisms for supervision.

## Diary Systems

Even where a firm has proper reminder or diary systems in place, the move from office to home working could have an impact on these systems.

### Top Tip

We suggest that firms review their existing diary systems and suggest that all solicitors review their files for any imminent deadlines. For any critical dates, firms might want to use a central e-calendar, accessible to all staff.

## Keeping records of calls and video conferences

Changes in how we communicate, such as moving away from face-to-face to telephone calls or video calls, may make it more difficult to record the progress of discussions. However, this is precisely when miscommunication can occur. The shift to remote working requires practitioners to be extra diligent when it comes to keeping adequate, contemporaneous records.

### Top Tip

File notes have a vital role to play in your practice's risk controls. For all telephone calls or video conferencing discussions, get into the habit of not only taking a note of discussions, but also emailing the note around the people involved in the discussion, then saving both the note and the email to the file.

## What is it that firms can and can't do electronically?

There will be areas of work capable of being completed remotely. There will also be areas of work which cannot be completed remotely and these might have to be delayed or cancelled. This might impact on a solicitor's legal and practical ability to settle a transaction or progress a case.

### Top Tip

**The Law Society of Scotland**, the Registers of Scotland, the Scottish Courts and Tribunal Service and other organisations have issued a number of practice updates and these should be followed. If a practitioner has a specific query about remote working practice, the professional practice team should be contacted: [profprac@lawscot.org.uk](mailto:profprac@lawscot.org.uk).

In all circumstances, it's important to communicate clearly with the client about what you can and cannot do in any particular transaction or case.



## Financial transactions

In the move to remote-working, how can firms ensure all financial transactions are still correctly authorised and secure? It is essential that firms have robust controls in place to prevent financial crime and that these are not undermined by remote working practices.

### Top Tip

Maintain existing robust verification processes by ensuring that the same checks continue to be made despite the move to remote working. If appropriate, consider introducing remote checking or collaborative checks using secure screen sharing software to allow for a second pair of eyes check.

## Potential fraud

The Law Society of Scotland has highlighted that a number of coronavirus-related scams have already arisen in the wake of the outbreak.

### Top Tip

Please ensure that any move to remote working does not result in any deviation from payment policies and consider our recent tips on [client account fraud](#). If you suspect a scam, contact Action Fraud on 0300 123 2040, or the FCA Consumer Helpline on 0800 111 6768.

## Styles, Templates and Checklists

Firms will have built up a bank of styles, templates and checklists. It will be important to update these documents to deal with the move to remote working.

### Top Tip

Firms might want to consider creating a master document, with a table listing the changes that will need to be made to styles, templates and checklists. Managing the table centrally, means staff can have an overview of the changes but also add to the spreadsheet as and when further changes are identified.

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