



## Profile

# Clemmie Smith LUPC

## How a new agreement for purchasing legal services could be the way forward for the public sector

**Clemmie Smith is a procurement specialist, not a lawyer, but has had enough experience of law firms in the past year to make her an expert on the market.** As senior contracts manager for London Universities Purchasing Consortium, Smith played an integral role in getting LUPC legal services agreement up and running last August. The framework agreement is one of the largest of its kind and saw 13 firms appointed to provide advice to LUPC's 66 members, which include the British Library, Queen Mary University and the British Museum. Twenty members have signed up to the agreement, using the panel law firms in a variety of different ways.

'It's a framework agreement run under public procurement rules,' says Smith. 'It acts as an umbrella agreement which is non-mandatory and non-exclusive so our members don't have to use it – fortunately because it's a very good agreement lots of them want to!'

The 13 firms chosen to provide legal services under the agreement, which runs until the end of July 2013 with the option to extend it for another year, went through a pre-qualification and tender process last year. From the 34 firms that made the pre-qualifying stage, just 13

firms cover the eight specialist lots and one all-embracing 'one-stop-shop' lot. Just one firm, Mills & Reeve, features in all nine lots.

'The thing about a tender process is that it's not just about how good you are, it's also about how well you express how good you are,' says Smith. 'As you might expect, lawyers are quite good at expressing their experience and capabilities, so in some ways choosing firms was the most difficult part as the level was very high.'

The framework agreement came about in response to requests from members of LUPC for it to have a look at legal services contracts, long before Smith joined the not-for-profit organisation in April 2010. LUPC canvassed members' spend levels and quickly realised that legal services was a high-value area. Smith says that LUPC calculated a combined legal spend by members of around £10m but adds that the figure is likely to be much higher as not all the data was available. The original target when the collaborative agreement was conceived was a 5% saving on a £10m legal spend but, as it transpires, that figure was conservative.

'Based on benchmarking figures we estimate the new arrangements will deliver a 20% saving on legal spend for our members,' Smith says. 'Now the process is more transparent, more

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efficient and they can see exactly what the different rates are.'

As part of the agreement, members have a menu of pricing options that they can discuss with panel firms, including fixed prices, secondee rates, retainer rates and volume discounts. They can also benefit from value-added services such as seminar programmes and tailored quarterly legal updates. Smith's experience includes working for local authorities and the police on collaborative agreements, which means she has worked on the purchasing of all manner of goods and services, from fleet cars to library books and recognises that purchasing legal services is completely different to stationery. 'While a lot of things in purchasing have emotive elements in them, buying legal services just isn't like buying books or stationery because it's so linked into the person and the personal knowledge that the individual firm or lawyer has,' says Smith. 'Some of our members have been working with the same firm for decades, so it's not simply a case of swapping firms because one is cheaper – there's a lot more to it and that is something that has been key to this agreement.'

*Mark McAteer*

### At a glance LUPC lot firms

	No. of lot appointments
<b>Mills &amp; Reeve</b>	9
<b>Veale Wasbrough Vizards</b>	6
<b>Weightmans (formerly Mace &amp; Jones)</b>	4
<b>Bates Wells &amp; Braithwaite</b>	3
<b>Berrymans Lace Mawer</b>	3
<b>Shoosmiths</b>	3
<b>Blake Laphorn</b>	2
<b>Cobbetts</b>	2
<b>Michelmores</b>	2
<b>Addleshaw Goddard</b>	1
<b>Barlow Lyde &amp; Gilbert</b>	1
<b>Farrer &amp; Co</b>	1