NRF *Transform*

Knowledge management

Turning information into actionable insights

Communication and Collaboration

What is knowledge management?

If you ask five in-house lawyers what knowledge management is, you are likely to get five different answers. Some think of it as document management, others, the place where they store their templates and precedents.

Whilst it will mean different things to different teams, it is important to ensure your team and your organisation have a common understanding of what it means for you in the context of your business. The following definition represents an inclusive view of knowledge management which may be a useful starting point.

Knowledge management

- The methodology, governance framework and processes for the collection, storage, management and sharing of legal knowledge and documentation (both within the legal function and externally within the business, subject to agreed access rights).
- This is generally facilitated by the creation of a single source of truth: a searchable repository to collate all legal knowledge, including reports, documents, executed contracts, policies, opinions, processes, roles and responsibilities, and information on how to share knowledge.

Why is it important?

- Helps facilitate team cohesion.
- Supports better collaboration and communication.
- Saves time and costs by reducing duplication of work.
- Supports team development by enabling the sharing of best practice.
- Encourages the retention of not only explicit (or express knowledge) but also implicit and tacit knowledge.
- Ensures continuity as teams change and members leave.
- Important for improved risk management.

Did you know?

Most in-house teams have zero to little resources in place for centralised and searchable contract, advice or expertise repositories

Less than 40% say their legal team's culture recognised and rewarded knowledge sharing

Only 14% have strong processes in place to ensure knowledge capture is part of work completion

*Results from the Legal Operations Health Check benchmark (contact us for a copy)

Mapping your knowledge universe

The difference between explicit, implicit and tacit knowledge

Organisations often focus on documenting and sharing explicit (or express) knowledge but are at risk of losing implicit or tacit knowledge through staff attrition and lack of appropriate capture and documentation processes.

It is also important to identify, document and share your team's implicit and tacit knowledge.

Explicit knowledge

- Explicit knowledge is easily articulated, recorded, communicated and stored.
- When you capture, process, structure, analyse and store data, the result is explicit knowledge.
- An example of explicit knowledge might be documented policies, precedents, templates or advice provided.

Implicit Knowledge

- Implicit knowledge is gained through the way we practically apply explicit knowledge.
- These are often considered transferrable skills.
- For example, how you perform a task and the potential result of your approach, would be considered implicit knowledge and could support more informed decision making.

Tacit knowledge

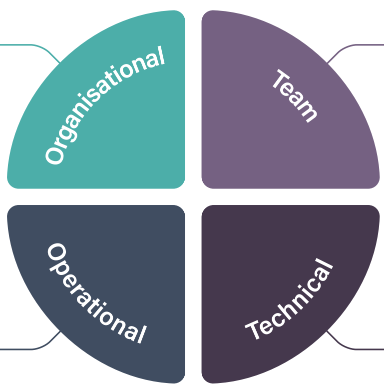
- Tacit knowledge is the knowledge gained personal experience and context. It's the information that is usually the most difficult to articulate and capture in a structured form.
- An example might be the particular working style of external counsel who you regularly instruct, or the relationship dynamic between two board members.

Examples of knowledge categories

The following are examples of how knowledge within a legal team might be categorised. This will differ from team to team and by industry. Your knowledge universe may also change over time as the business that you support grows or changes its strategic direction and so it should be regularly reviewed to identify knowledge area gaps and redundancies.

- Strategy and objectives
- Policies
- Organisational structures
- Corporate governance
- Panel management strategy and approach

- Expertise and certifications repository
- Team organisational structure
- Roles and responsibilities
- Exit interviews
- Employee feedback surveys



- Lessons learnt
- Project close out documents and bibles
- Toolkits
- Processes
- Ways of working

- Precedents
- Templates
- Advice repository
- Playbooks
- Contract repository

Getting started

Your 7-step checklist to help you get started

1

Start early and start small

Smaller in-house teams of often deprioritise knowledge management due to lack of resources or the view that it is something only to be invested in once the team grows.

The earlier in your growth journey that you embed the capture and sharing of knowledge, the easier it will be to enhance and expand these capabilities to support a larger team.

Consider starting with a centralised database and an agreed document taxonomy to create the foundation and build from there.

2

Define what knowledge management means to you

Conduct an audit of the knowledge you have within your team. Identify where that knowledge is held and what it is used for.

Agree what knowledge you would like to capture, store and manage in the future

Prioritise. Not all knowledge is created equal! Some will be more useful to your team than others.

3

Assign a Knowledge Manager and knowledge area owners

Knowledge databases should be accurate, up to date and relevant. Consider appointing a Knowledge Manager to oversee your knowledge management strategy, framework and processes.

In addition, we recommend assigning Knowledge area owners (usually existing legal team members), to ensure their area of knowledge is maintained and shared.

4

Document implicit and tacit knowledge

Loss of implicit and tacit knowledge is a risk for all organisations as it is the most difficult to capture.

Ensure that ways of working, lessons learnt, your company's stance on particular issues or other relevant insights are documented and easily searchable.

5

Make it easy

In-house teams spend a significant amount of their day searching for information.

If knowledge is hard to record or locate, teams simply won't do it.

Ensuring that your knowledge management databases and processes are streamlined, easy to access and use, will not only save time locating knowledge, but also serve to encourage team members to record knowledge more accurately and more often.

6

Create a culture that rewards and recognises knowledge sharing

Even teams with clearly documented processes and sophisticated tools struggle to manage knowledge effectively when they are not used consistently and as intended.

Incorporate regular knowledge sharing opportunities into your team's calendars such as lunch and learn sessions, weekly tips or other peer to peer training. Establishing knowledge groups that meet regularly can also help focus and drive collaboration.

Build these practices into KPIs or OKRs to drive accountability and adoption.

7

Leverage existing processes, tools and resources

Consider what is already available to you. May use of free resources from law firms and industry bodies.

Valuable data may also be collected through an intake and matter management tool or process, lessons learned at the close of key projects or your contract management system.

Even if managed manually, it is possible to build some capture and sharing of knowledge into each of those processes.

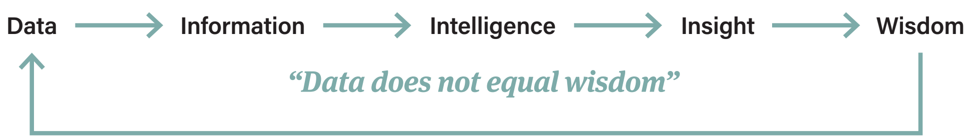
When implementing new technologies and tools, a key consideration should be integration with your knowledge management framework, to support the capture process. Don't forget to add this to your requirements list when engaging with vendors.

Next steps

How we can help you

Consulting services can be tailored to your requirements and include:

Knowledge audit	Conducting a review of what knowledge you have stored, where it is stored, and in what format it is stored, providing you with the data you need to identify areas for improvement and helping inform your knowledge management strategy.
Knowledge management strategic advisory	Helping you to tackle the strategic problems you face when it comes to your knowledge management approach, such as how to get the most from your data, prioritise your knowledge capture, and demonstrate the value of knowledge management to the business.
Document management framework	A specific framework, designed to give effect to your strategy, to direct how your documentation is stored, shared and maintained. This may include processes, policies, governance of tools and ways of working.
Key process mapping	Converting the knowledge of key processes in your team into documented steps, recording each step taken, who is responsible, and when it should happen.
Document management system selection and implementation	Helping you to select, pilot and implement the right document management system for your team. This may include assessing existing tools and technologies within the business and consideration ways to optimise and integrate them to achieve quick wins or cost savings.
Change management	Facilitating or supporting required change management processes to build consensus with stakeholders and embed new processes, tools and technologies. Often overlooked, effective change management can increase the likelihood of a successful outcome. This may include designing a change management roadmap, conducting workshops with impacted employees, helping you communicate the benefits of the change to the wider business or creating feedback mechanisms.
Advisory retainer	Providing strategic advice to support you across a diverse range of matters, when you need it most. This can be delivered via a hotline or through regular calls with you and your team, offering you a high degree of flexibility along with budget certainty.



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Stéphanie, Head of Legal Operations Consulting, was previously at Barclays where she headed up what would become the Legal operations team for over three years. Under her leadership the department won "Legal operations team of the year" at the 2019 UK Legal 500 Awards. When transforming your in-house legal function, Stéphanie is ideally placed to advise on improving the management of your legal department.

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Tammy, a Legal Operations Consultant, was formerly the Group Company Secretary and Senior Legal Advisor for Zurich Insurance's Southern African operations. With 17 years experience within the professional services, corporate and start up environments, Tammy has extensive expertise in corporate governance, stakeholder management, strategy formulation, operational design and delivering business transformation projects.

NRF *Transform*

NRF Transform is our global change and innovation programme. It aims to make how we deliver traditional services more effective and efficient, and to provide entirely new solutions to our client's most pressing business problems. It has over 150 staff in offices around the world, as well as 3 dedicated Hubs, and includes teams focusing on Applied Technology, Innovation, Legal Design, Legal Project Management, Legal Operations Consulting, Resource Management, and Commercial Management.

The Legal Operations Consulting Practice helps General Counsels and in-house legal teams optimise the delivery of legal services to their organisations, enabling them to go beyond managing legal risk and become a strategic business partner, supporting the wider objectives of the business.

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