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| Thursday 13 July 2023 | | |
| 12:00 – 12:45 | G.41 (500) | Oscar Jantti / Chaitali Desai  UUK / Bristol University  *“Managing Internationalisation and the Trusted Research Agenda in Higher Education”* |
| Oscar Jantti (Universities UK) and Chaitali Desai (University of Bristol) will talk about the impact on HEIs of regulatory obligations in the national security context. We will cover:   * Evolution of security obligations and the impact of this on international collaborations in research and education * Key security threats and how Universities can respond to challenges * Government concerns and liaising with RCAT and Regulators * Implementation of policy and processes around Export Controls, National Security & Investment Act, and the Trusted Research agenda. * Case studies for illustration and discussion.   We hope to leave time for a Q&A, although should attendees wish to submit questions beforehand, this will be welcome. |
| 14:00 – 14:40 | 1.17 (60) | Rachel Soundy / Elizabeth Dunford  Bevan Brittan LLP  *“Transparency and Technology: Making Student contracts CMA compliant in the changing AI, information security and data sharing era”* |
| The CMA is increasingly focused on ensuring clear and transparent terms and conditions for students, with the ICO similarly requiring organisations to clearly explain their data processing activities. But with the latest developments in AI, tech and information security, how do higher education institutions ensure they make complex systems easy to understand so that students know what these systems do, the policies and procedures that apply, and how their data is being / will be used?  In this session we will discuss this issue in relation to a number of new recent and challenging developments for University legal and student facing teams including: AI and Learner analytics; ChatGTP; wellbeing AI tools; international data sharing; misconduct / harassment cases.  We will also look at the innovative ways we are seeing used to convey this information so that students can better understand it. |
| 1.18 (30) | Anjon Mallik  Hill Dickinson LLP  *“Risks in Construction – what you need to know”* |
| Anjon’s talk will cover practical issues faced by Universities when embarking on construction projects.  He will address considerations around procurement, dispute resolution and the latest developments arising from the Building Safety Act. |
| G.41 (500) | Rosanne McNeil / Michael Balmer  Weightmans LLP  *“Martyn’s Law”* |
| Martyn’s Law is an entirely new duty which will apply to universities. It will require them to do three things:-  1. To risk assess the threat of terror attacks.  2. To take steps, so far as is reasonably practicable to reduce the risk of attacks.  3. To implement a plan to mitigate outcomes of terror attacks. |
| G.56 (150) | Paul Greatorex  11KBW  *“Misconduct and Misconduct Hearings”* |
| Dealing with misconduct: Allegations of misconduct, whether against staff or students, can raise a number of tricky legal issues, particularly where the allegations are very serious in nature. This talk will explore those issues and look at recent case law in this area, including a particular the two case of AB v XYZ University which considered the right to legal representation and the right to cross-examine the complainant. Paul represented XYZ in both cases. |
| 14:45 – 15:30 | 2.16 (60) | Stephen Pearson  Freeths LLP  “Joint Ventures” |
| * 1. History of Joint Ventures – What are they useful for?   2. Forms of Joint Venture Association – Contractual relationship, formation of company, Limited Liability Partnership and other corporate structures. Issues with international joint ventures re governing law.   3. Organisation of Joint Ventures – For example, Members / Shareholders Agreement, Business Plan, Treatment of Land and Profits.   4. Practical Experience of Joint Ventures – What works well? Why do some go wrong?   5. Corporate Governance – Who to appoint as Directors / Board Members? What is their status? What legal responsibilities are they subject to in the criminal and civil legal environment?   6. Approvals – What approvals do you need? What about your partners? NB: Situation of Local Authorities / NHS Bodies.   7. Practical Workshop Exercise |
| 2.14 (45) | Niall McLean / Kirstyn Burke  Brodies LLP  *“Investigating Student Misconduct”* |
| During this session we will cover:   * Student Codes of Conduct and what should be included; * the steps prior to commencing an investigation; * the investigative process including (1) steps to take to ensure it is fair (and seen to be fair); and (2) interviewing the relevant parties and witnesses; and * weighing evidence and drafting reports. |
| G.56 (150) | Rosemary Boyle  Cambridge University  *“National Security and Investment Control Act”* |
| National Security and Investment Control Act.   * Purpose and scope of the Act * Problem areas and using RCAT * Processing notifications * Getting granular: current thinking on research and tech transfer activity. * Relation to other national security and economic issues |
| G.06 (170) | Deborah Ramshaw / Andrew Hirst  Womble Bond Dickinson (UK) LLP  *“The Journey to Net Zero: How contracts and procurement can be used to deliver Universities’ carbon objectives”* |
| This session will be delivered by Deborah Ramshaw (Partner) and Andrew Hirst (Partner) from the Public Law and Infrastructure team at law firm Womble Bond Dickinson. The session will explain how universities can incorporate their carbon objectives into procurements and contracts. In particular the session will explore:   * The scope that public procurement allows for the incorporation of * carbon objectives; * Evaluation of carbon commitments; * The impact of the Procurement Bill on the future of Net Zero; * How carbon requirements can be incorporated into contracts and * the enforcement mechanisms available; and * The procurement and delivery of low carbon heat. |
| 2.15 (45) | Trish McLellan  LawCare  *“Staying Well, Working Well….why mental health matters”* |
| * The benefits of good mental health and wellbeing with reference also to the business case * Understanding the legal mindset * Share some of the key findings of our recent [Life In the law research study](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.lawcare.org.uk%2Flife-in-the-law%2F&data=05%7C01%7Caulp23%40newcastle.ac.uk%7Cb9da2911dce84660328308db797a47b2%7C9c5012c9b61644c2a91766814fbe3e87%7C1%7C0%7C638237339334387817%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=BxZ9pGCJterh5ko0G0BVfoUgS9OUtatlLVgJZqdscCg%3D&reserved=0) * Self-care tips * Signposting to resources and support * Q&A |

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| Friday 14 July 2023 | | |
| 10:00 – 10:40 | G.56 (150) | Joanne Clement  11KBW  *“Freedom of Speech in Higher Education”* |
| The Higher Education (Freedom of Speech) Act 2023: revolutionary legislation or a damp squib?  This session will consider the new Act, including:   1. the new duties imposed on higher education providers, constituent institutions and student unions in relation to freedom of speech 2. the impact on academic freedom 3. the free speech complaints scheme and civil claims 4. the role of the OfS |
| G.06 (170) | Alex Keenlyside / Faye Harrison  Bristows LLP  *“A new battleground – the growing threat of defamation and data privacy claims in universities”* |
| This will be a practical, scenario-based session analysing the contentious data protection, privacy and defamation issues that are frequently faced by universities. We have noticed an increase in disputes of this nature in recent years, driven (at least in part) by a campus culture often played out over social media and reflecting increasingly polarised views on complex issues. We will draw on case law and our own experience of advising clients in the higher education sector to identify and navigate some of the thorniest issues in this space. Using a fictional scenario that, we will chart how data protection law can be weaponised by would-be claimants, and how defamation claims and reputational considerations often arise alongside this, with freedom of expression implications. The session will offer practical and strategic advice to university lawyers on how to handle and respond to threatened claims or disputes of this nature. |
| 1.17 (60) | Stephen Allen – Surrey University  *“From Chaos to Control: Productivity Hacks and Personal Knowledge Management Skills for Lawyers”* |
| The 9 “tips” are contained within following 3 areas:   1. **Tips 1 – 4: set-up for success**    1. Prepare your mind and workspace    2. Work using a system with built-in breaks    3. Be kind to yourself about procrastination    4. Defeat distractions (avoid “multitasking”) 2. **Tips 5 – 6: manage pressures**    1. Tame your inbox    2. Beat “busyness” culture 3. **Tips 7 – 8: ways of working**    1. Try some new productivity tools    2. Ditch the mouse and love your keyboard |
| 10:45 – 11:30 | 2.16 (60) | Jane Byford / Morag Roddick  Veale Wasbrough Vizards LLP  *“Partnership Working – A Lawyer’s Guide to Getting it Right”* |
| As Universities continue to explore ways of working with other bodies and third parties across their diverse offering, this session will look at some key themes when planning and executing joint ventures.  We will focus on issues relating to structuring joint ventures, managing the University personnel working within joint venture structures and mitigating institutional risk.  This will be an interactive session aimed at building in house legal team confidence when advising on all types of joint working by an institution. |
| G.56 (150) | Dave Hughes / Chris Mordue  Eversheds Sutherland Ltd  *“Demystifying data sharing: Navigating compliance challenges in the UK and overseas”* |
| You’d be forgiven for thinking that sharing personal data has never been more complex. You know the fines, you know the UK laws are changing (again!). So why does UK GDPR always say no and why can’t it just be straightforward?  Well, it can be. Following on from last year’s session on practical security breach and claims management, this session will look at breaking down data sharing challenges into iterative principles that can be met or mitigated to help attendees better navigate complicated data sharing decisions. It will also look at how you make your data sharing partners do at least some of the work here for you. |
| 2.14 (45) | Tom Long / David Browne  Shakespeare Martineau  *“Employment Tribunal Top Tips and Tactics”* |
| David Browne and Tom Long, Partners in Shakespeare Martineau’s specialist Employment Education team, present an interactive and engaging talking heads discussion on conducting Employment Tribunal litigation, considering both what to do and what not to do! David and Tom will consider real life examples, sharing their many years of experience in defending cases before ethe Employment Tribunal whilst inviting the audience to share their experience too for the benefit of all. |
| G.06 (170) | Sian Jones-Davies / Andrew Hartley  Mills & Reeves LLP / Salford University  *“The duty (or duties) of care owed to students: lessons from extreme situations”* |
| Andrew Hartley (University of Salford) and Sian Jones-Davies (Mills & Reeve LLP) will present a session that reviews the conclusion and recommendations from the Manchester Arena Inquiry and recent Coroners’ Inquests into student suicides; considers the risk areas for HEIs; and reflects on the different answers that may be given to the question “do HEIs owe their students a duty of care and if so, what is it?” |
| 12:00 – 12:45 | G.41 (500) | Cerys Wyn Davies / Nils Rauer  Pinsent Masons LLP  *“AI in Education – How to deal with Chat GPT”* |
| Education is a valuable asset. The level of education strongly impacts how we live together as a society. Social prosperity can only flourish if we succeed on passing on our knowledge and intellect to future generations. In this context, it’s imperative we embrace digital transformation and the use of modern technologies such as artificial intelligence (“AI”).  However, AI and the use of AI by students, scholars and researchers presents its challenges. We need to understand how to safeguard that no third-party rights are infringed, that copyright and intellectual authorship are adequately considered, and that we still train and assess human skills rather than the pure output of digital language models.  Join us to hear insights on technical details of chatbots such as ChatGPT, on intellectual ownership to work products generated by AI, on genuineness and authenticity, and on the regulatory framework governing this area. We also shine light on how education institutions can self-regulate the use of applications supporting learning efforts on the basis of AI. |
| 14:00 – 14:40 | G.06 (170) | Anthony Evans / Tom Justice  Muckle LLP  *“What makes a successful spin out? The lawyers’ view”* |
| A practically focussed session looking at spin-out companies from both a university and spin-out perspective, addressing:   * Legal considerations to help create a successful spin-out – management team roles, management incentives, seed funding * The level of university shareholder protection and control * How to handle IP assets, including identification and ownership at the point of spin-out, on-going funding constraints, future IP creation and assignment * Keeping the process on time and deliverable |
| 1.17 (60) | Neil Warwick / Rosemary Boyle  DAC Beachcroft / Cambridge University  “Subsidy Control Regime” |
| A practical guide to the impact of evolving regulations on universities and recommended actions. |
| 2.14 (45) | Sara Robinson / Rayhaneh Tehrani  Sellick Partnership Ltd  *“*Recruitment*” – This is a drop in session* |
| The legal recruitment sector has changed considerably over the last few years, as evolving market conditions and professional norms have led to a major shift in what candidates are looking for, and sometimes expecting, from a role. We recently conducted a survey with 172 solicitors, lawyers and legal executives to find out exactly what today’s legal professionals are looking for when weighing up their career options. This piece of market research was extremely well received by our clients and has allowed legal organisations to review their offering outside of salary bands to ensure they can compete with private sector companies when attracting top talent. Recruitment experts Rayhaneh Tehrani and Sara Robinson will be holding a drop in session available to candidates who are looking for career advice as well as employers to offer their professional advice and guidance on how employers can realistically and practically find the right balance for everyone when it comes to flexibility, benefits, remuneration packages and more. |
| 2.16 (60) | John Craske / Tom Morgan  CMS Cameron McKenna Nabarro Olswang  “Managing High Volume Contracting” |
| Alternatives to ‘one more lawyer’ for handling large volumes of contracts. Covering the use of legal innovation, tech, automation, the potential of artificial intelligence, in-sourcing and outsourced service providers. Explores the role and limits of legal. |
| 14:45 – 15:30 | G.06 (170) | Tony McPhillips / Sally Ingram / Angela McNeill  Muckle LLP / Newcastle University  *“Applying the “spirit of adjustment” to support an ever diverse student population”* |
| A practically focussed session with Sally Ingram Director of Student Health and Wellbeing at Newcastle University and Tony McPhillips Partner at Muckle LLP exploring some of the challenges facing universities arising from the needs and diverse student groups and how these may be resolved by applying the reasonable adjustments approach used to support students with disabilities. |
| G.56 (150) | Francis Katamba  Browne Jacobson  *“Data Protection / Digital Information Bill”* |
| Francis Katamba, partner and regulatory and information lawyer at Browne Jacobson will talk about the new Data Protection and Digital Information Bill.  With the government relaunching its efforts to reform the UK’s data protection regime by reintroducing the Data Protection and Digital Information (‘DPDI’) Bill, we explore how the proposed legislative changes should help reduce the administrative burden on universities and make the processing of personal data more straightforward.  We’ll consider the practical ways in which this can be handled to best effect, the implications and benefits for higher education institutions and field any questions attendees may have. |
| 2.14 (45) | Kathleen Heycock / Alice Kendle  Farrer & Co  *“The Lifecycle of an Investigation, Tricky Issues and Recent Trends”* |
| * **The Lifecycle of an Investigation** * Getting investigations right - why does it matter? * Overview of the process * Useful guidance: ACAS and ECHR * Roles in an investigation * Terms of Reference * Choice of Investigator * **Tricky Issues** * Sprawling issues and paperwork * Steps to reduce the risk – supporting the welfare of all involved * Confidentiality vs Anonymity * Legal Professional Privilege * DSAR risks * **Recent Trends** * What we are seeing in our investigations * Legal representation for students * Reluctant Witnesses   Trauma Informed Approaches |
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