

Policy on Legal Services

Office

5.3 Legal services provided by the Office of the General Counsel covers a variety of fields (including, but not limited to: employment and labour relations, student matters, human rights, contracts, procurement, construction, real property transactions and other corporate matters, business transactions, and intellectual property), and are required when the matter involves any one or more of the following or as may be determined by the General Counsel of the University:

5.3.1 a legal proceeding or the threat of a legal proceeding against the University in court or at a tribunal

5.3.2 a legal issue having strategic importance or University-wide implications,

5.3.3 a matter or legal issue involving significant legal risk, financial exposure or adverse impact to the University,

5.3.4 a contract (regardless of its type or of its value) between the University and a third party that presents potentially significant or uncertain legal liability for the University.

6. Contract Review

6.1 Except pursuant to Section 6.2 of this Policy, unless otherwise approved by the General Counsel in consultation with the President and/or the Vice President(s) of the University, or the appropriate academic or administrative head, or unless otherwise provided in a University by-law or other University policy or procedure, all contracts requiring signature of the President, Vice President(s) and/or Secretary must be submitted to the Office of the General Counsel for a review from a legal perspective.

6.2 The President and/or Vice President(s) may enter into grants or contracts involving federal and/or provincial agencies and/or routine contracts, including transfer payment agreements from Ontario Ministries, without consulting the Office of the General Counsel, provided they have the signatory authority pursuant to the Policy on Signing Authorizations.

6.3 The contract review by the Office of the General Counsel does not include an assessment of the business case, academic or operational aspects underlying the purpose or subject matter of the contract.

6.4 The head of the academic or administrative unit wishing to have the contract executed is responsible for ensuring that the contract fits within its academic, business and operational requirements. Prior to undertaking the contract review, the head must provide to the Office of the General Counsel a brief written statement on the context or background of the contract and a statement in support of the execution of the contract in order to facilitate the review by the Office of the General Counsel and sign-off by the President, Vice President(s) and/or Secretary.

7. Retention of External Lawyers

7.1 The General Counsel, or its designate in the office of the General Counsel, is the only authority within the University who may retain an external lawyer to provide legal services to the University, communicate the
8 Q L Y H U V L W \ | ¶ V L Q V W U X F W H L R E X T E R N A L L A W Y E R R E T A I N E D B Y A N D A C T I N G F O R T H E
8 Q L Y H U V L W \ | ¶ V L Q V X U H U

7.3 In determining whether retaining an external lawyer to provide legal services to the University is warranted, the General Counsel of the University is responsible for assessing the need, reviewing the specific circumstances and considering factors to ensure a fair and transparent process, such as the following:

Cost effectiveness

Capacity within the Office of the General Counsel

Timelines for the provision of legal services

Risk assessment

Knowledge and expertise required