

## **Peer Reviewer Applicants - Background Information**

Independent Peer Review by experienced legal practitioners is a key method of assessing the quality of legal advice given by our contracted providers.

### **The History of Peer Review Development**

Researchers at the Institute of Advance Legal Studies (IALS) developed the peer review methodology as part of their research into the Civil Contracting Pilots, published in 'Quality and Cost – Final Report on the Contracting of Civil, Non-Family Advice and Assistance Pilot' (Moorhead, Sherr et al 2001). This report is available from The Stationery Office (website: [www.tso.co.uk](http://www.tso.co.uk)).

In late 2005 the Institute set up the Independent Quality Assessment of Legal Services (IQALS) which is responsible for appointing and training peer reviewers. IQALS also maintains the consistency of the peer review process which enhances the LSC's ability to assess the quality of advice provided and determine the competence of the solicitors or advisors.

### **The Uses of Peer Review**

Peer review can be used to gain information regarding the quality of work, which may be specific to individual organisations, regions or the LSC as a whole. Peer reviewers will **not** be informed of the reason for the review, so that they do not have any pre-conceived expectations about the organisation's work.

#### Targeted Assessments

When there are concerns about the quality of a provider's work, peer review is used to identify whether the provider is meeting the standard required by the LSC Contract.

#### Random Assessments

Random samples of providers are also selected for peer review to assess the quality across the provider base. This is run on a continuing basis across all the main categories of law.

In order to maintain the independence of the process, IQALS oversees (with LSC administrative support) the monitoring and analysis of the peer review results.

### **The Peer Reviewers**

A panel of peer reviewers is established and maintained for most categories of law. The peer reviewers are experienced members of the legal profession.

Peer Reviewers need an understanding of the concepts of competence and its measurement within a system of peer review. The intellectual and professional demands of this role therefore call for wide-ranging and extensive supervisory and casework experience in a specific category of work, gained within a contract-holding legal services provider. You will need the ability to look beyond different styles of delivery to assess the

practical quality of advice provided by our providers. You will also need strong analytical skills and the ability to write careful, fully substantiated assessment reports on the providers reviewed and, where necessary, make proposals for performance improvement.

Please see the “Peer Reviewer Applicant Personal Specification” for detailed guidance on the experience and skills required.

## **The Selection Process**

Appointment to the peer review panel will be through an open selection process assisted by open advertisement or nomination by recognised bodies. Recruitment rounds are advertised on our website. If you express an interest between recruitment rounds you will be sent an application pack when the next round begins.

Our policy is to appoint no more than one peer reviewer in any individual category of law from each branch of a provider firm or organisation.

If you decide to apply for this role you will be asked to complete an application form which is designed to allow you to show how well you fit the Peer Reviewer Applicant Personal Specification.

If you are shortlisted you will be invited to attend an assessment day in London. You will be asked to review an anonymised file in your category of law and attend a short interview. The interview panel will contain representatives of the Institute of Advanced Legal Studies and LSC.

If you are successful at interview your own work will be peer reviewed to assess whether it reaches the required standard of “Competence Plus” (Rating 2) or above. If so, you will be asked to attend a training course in London. Following training, your first two completed peer reviews will be crosschecked with reviews by established peer reviewers to ensure that you are applying the criteria correctly and your assessments are consistent.

## **Contractual Arrangements**

If selected, you will be contracted on a consultancy basis, allowing you to continue in legal practice. You will have the option of being contracted under the Peer Review Contract as an individual or through your firm.

In addition to the general obligations of confidentiality and data protection in the contract, the LSC has imposed non-disclosure obligations identical to those with which the Commission itself is bound (s38 Legal Aid Act 1998 and s.20 Access to Justice Act 1999).

## **Conditions of Work**

### **Remuneration**

Peer reviewers are paid £375 per day for work under the Peer Review Contract plus travel and subsistence expenses.

## **Availability**

Reviews will be arranged on mutually agreed days, however, peer reviewers are required to be available for reviews (and training) for a minimum of 36 days per annum. Reviews may take longer than one day to complete and therefore peer reviewers may need to be available for two days a month, preferably on consecutive days. Reviewers will be asked to agree available dates two months in advance.

## **Location**

The reviews will take place on LSC premises.

We try to take into account reviewers' preferred locations when arranging reviews. However they may sometimes be asked to travel to LSC regional offices outside their own region to carry out peer reviews. If overnight accommodation is required this can be claimed for.

Peer Reviewers are appointed on a national, not a local basis and they will not be asked to review firms located in their own area or in direct competition with them.

## **Information Technology**

During the review the peer reviewer will enter file scores and comments onto a database using a laptop or personal computer. Full training and guidance on how to use this technology will be given.

## **Update Training and Consistency Monitoring**

From time to time peer reviewers will be asked to attend training to update them and to allow them to confer with colleagues on the panel.

IQALS will monitor the consistency of the peer reviewers. If a peer reviewer's work consistently and significantly varies from their colleagues, they may be removed from the peer review panel.

## **Peer Review Process**

Checks will be carried out with organisations and reviewers that there are no conflicts of interest before a specific peer reviewer is allocated for an assessment.

The assessment will consist of a random sample of at least 15 closed files being peer reviewed against standard criteria and a rating system developed by IALS in consultation with the peer reviewers and representatives of the Law Society (Civil and Crime) and the Not for Profit sector (civil criteria only).

The criteria are designed to highlight the quality of:

- The Information gained from the client and other sources
- The Advice given based on that information, and
- The steps taken following that advice.

Most of the criteria are generic and applicable to all areas of civil law in conjunction with category specific guidance notes for peer reviewers. The criteria for crime are generic to all areas of criminal law.

## **Rating System**

After the peer reviewer has assessed each file by the criteria, he will give it a rating according to the scale below. When the reviewer has assessed sufficient files, he will write a report on the overall performance of the firm and also rate the firm according to the same scale.

- 1 = Excellence**
- 2 = Competence Plus**
- 3 = Threshold Competence**
- 4 = Below Competence**
- 5 = Failure in Performance**

Further details of the ratings, criteria and peer review process can be found in the document "Independent Peer Review Process (November 2005)". This can be found on the LSC website ([www.legalservices.gov.uk](http://www.legalservices.gov.uk)) at [Community Legal Service > Quality and Performance > Peer Review](#)