

# Peer Review Frequently Asked Questions

## 1. Peer Review process

Peer Review is a direct independent assessment of the quality of advice and legal work carried out by suppliers, conducted by experienced, peer practitioners.

The Independent Peer Review utilised by the LSC operates within a framework and methodology developed and managed by a research and operations team based at the Institute of Advanced Legal Studies (IALS), which is independent to the Legal Services Commission.

Peer Reviewers assess a stratified random sample of a supplier's case files using a standard criteria and ratings system to determine the quality of advice and legal work provided to clients in a particular category of work.

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.

Following their assessment of the files using the criteria, the Peer Reviewer makes an overall judgement concerning the quality of advice and legal work provided by the supplier.

Copies of the Peer Review Criteria forms are available from the LSC website: <http://www.legalservices.gov.uk/peerreview>

## 2. What is the output of Peer Review

Following the review of a sample of files for a supplier the overall quality of advice provided is assessed using a 1–5 rating.

The ratings are as follows:

- Excellence (1)
- Competence Plus (2)
- Threshold Competence (3)
- Below Competence (4)
- Failure in Performance (5)

The ratings describe the work of the supplier as reviewed by the Peer Reviewer over a number of files.

A Peer Review Report detailing the findings of the review and the overall quality rating is produced. The report will detail both positive areas and areas for improvement.

### **3. How many Peer Reviewers are there?**

Currently there are approximately 80 Peer Reviewers across 9 categories of law (Crime, Family, Housing, Immigration, Mental Health, Community Care, Welfare Benefits, Debt and Employment). A further recruitment round has just been completed. Additional Peer Review Panels are also being developed in other categories of law. Ongoing recruitment will be required to maintain these panels.

### **4. How are Peer Reviewers Selected?**

Peer Reviewers are recruited and trained by IALS. Peer Reviewers are recruited on a category specific basis. Appointment to the panel is through an open selection process, which includes advertisements in public legal journals. Applicants will only be accepted on to the panel if they successfully meet all requirements of the recruitment and training process.

The practitioners on the Peer Review panels are drawn from a range of suppliers located across England and Wales.

### **5. What are the criteria to become a Peer Reviewer?**

Each Independent Peer Reviewer will have had their own work, or that which they supervise, rated as Competence Plus or above on the basis of a peer review assessment and will meet any other required criteria as detailed below:

Alongside extensive experience and specialisation, Peer Reviewers must be practicing solicitors and demonstrate the following as a **minimum**:

- 5 years PQE or equivalent in the category(ies) of law.
- 3 years supervisory experience in the category (ies) of law.
- 3 years experience of LSC Specialist Quality Mark (SQM)/contract work.

Peer Reviewers must currently be working under an LSC contract in a fee-earner/caseworker and supervisory capacity.

To view the full details of the essential and preferred Peer Reviewer requirements please visit the LSC website:

<http://www.legalservices.gov.uk/peerreview>

### **6. Rates of pay for Peer Reviewers**

Peer reviewers receive £360 per day + reasonable expenses

### **7. Where is the review conducted?**

All reviews take place on LSC premises, files are not sent to reviewers' homes or places of work.

## **8. What happens if there is a Conflict of interest**

Checks are carried out with suppliers and reviewers that there are no conflicts of interest before a specific Peer Reviewer is allocated for an assessment.

Conflicts, for the purpose of peer review, concern situations where there has been the opportunity for the peer reviewer to form a view about a supplier's level of competence. For example circumstances where the peer reviewer;

- Has a partner, or a member of their immediate family, or close friend that works in a firm/organisation that is scheduled for review.
- Has previously worked for the supplier.
- Has recently acted against the supplier.
- Has had dealings with the firm e.g. as an agent, acted for a co accused, acted for a private prosecutor,
- Has taken over a matter from the supplier.

A Peer Reviewer will not review any firm within their geographic region unless both the supplier and the reviewer consent. For example a supplier in London will not be reviewed by a Peer Reviewer who is based in London.

## **9. Is there any further information regarding Peer Review?**

Full details of the Peer Review process will be issued in the Peer Review consultation paper titled "Independent Peer Review of Legal Advice and Legal Work". This will be released by the 31 March 2005, and will be available on

<http://www.legalservices.gov.uk/aboutus/consultations/index.asp>