



Quality Assurance Joint Working Group

Minutes

Date: 28th May 2008

Chair: Richard Collins Simon Cliffe
Attendees: Clare Gilligan, Liz McAnulty (SRA) Rodney Warren (TLS),
Shanta Bhavnani (ASA),
Avrom Sherr (IALS), Jacqui Jackson (Resolution),
Warren Seddon (MoJ),
Jill Saville, Jane Pinnell, Vanessa Bailey,
Nathalie Pedley, Frances Clements (LSC)

Minutes: Jennifer Will
Apologies: Linda Lee (TLS)

1- Previous Minutes and Action Points

RC welcomed all to the second meeting.

Key documents distributed to all;

- Collaborative Statement
- LSC approach to quality paper
- TLS paper on Lexcel
- TLS paper on Peer Review Concerns
- Consistency in Independent Peer Review – paper by Avrom Sherr
- Quality Assurance and Regulation in the NfP sector – ASA paper

The previous minutes were reviewed; SC asked that the minutes be changed to reflect the removal of the Solicitors Code of Conduct from the quality matrix. This was agreed.

Previous action points		Who	Cleared/ Notes
1	Draft Collaborative statement to send with minutes	JP	✓
2	Draft paper to set out LSC quality requirements with an updated matrix	JP	✓
3	Write paper on Lexcel	RM	✓
4	Arrange meeting to discuss LEXCEL		✓ 5 June
5	SRA to send paper on accreditation		To follow
6	Send group details of peer review feedback	RM	✓
7	Write a paper on consistency process	AS	✓
8	Write a paper on quality standards affecting NfPs	SB	✓
9	Let all know name of additional attendee	RM	✓

Notes on previous action points

Re AP4 - SB said that ASA would want to be involved at some stage to highlight the situation for NfP's, but she would not be able to attend the first meeting.

Re AP5- SRA have recently concluded a consultation on the strategic framework for accreditation. CG to circulate a summary of SRA's accreditation schemes and what they cover for the next meeting.

RC commented that accreditation schemes play an important role for the LSC, particularly for supervisor competence. The LSC would like to be in a position to make use of accreditation schemes at a suitable level for supervisors in all categories. JS commented that SRA's timetable for accreditation schemes was important for the LSC as if it is too long, in some areas the LSC may have to look at developing suitable accreditation in certain areas of law.

There is a mapping exercise of all SRA tools including the Code of Conduct. CG to share current framework with group at next meeting.

Re AP9 - RW confirmed that Linda Lee will be additional TLS representative

Agenda Item 2- Collaborative Statement

JS introduced the Collaborative Statement and explained that it was modelled on others produced such as for the Training Contract Grants roundtable.

VB commented that the statement should also include timelines for reporting and deliverables. Subject to this addition the statement was agreed and will be published.

Agenda Item 3- Consideration of Papers

Quality paper

RC introduced the paper on the LSC's current approach to quality, the approach is however subject to what comes out of the working group discussions

JP highlighted the key message that the Commission wants a single integrated quality assurance mechanism which links with the outputs of the working party. The paper also outlines the LSC's current plans with regard to peer review. In crime, peer review will continue as it is now and in civil, peer reviews will be conducted slowly but in sufficient numbers to ensure continued peer reviewer competence.

SB raised the point that the paper was silent regarding the transfer of peer review to the SRA/TLS. RC responded that the paper did not presuppose who will own and deliver peer review only that the peer review process is needed. The transfer of peer review is however covered in the Terms of Reference for the group.

RC added that the paper still required the addition of accreditation.

SB asked whether the quality requirements for the 2010 contracts would be the same as they are now. RC explained that the current view was that they would be the same.

RW felt that the description given in the matrix covered elements of professional standard not service and these distinctions need to be made. JP/JW to review and provide definitions to be agreed by the group.

Lexcel paper

SC introduced a paper on Lexcel. TLS are keen to look at how Lexcel could be adapted for legal aid practitioners. RC stated that there are 3 key areas to look at when investigating the possibility of moving to one quality standard: standards mapping, timescales and capacity of Lexcel. RW said he believed the profession would support a uniform quality standard. ASA to be involved in discussions to represent NfP interests.

Peer Review papers (TLS concerns and Consistency)

RW introduced the paper stating that TLS approached PR with a positive view and understands the need for a quality assurance mechanism that looks directly at the work conducted but want to ensure continued confidence in the tool by identifying and resolving any risks and issues regarding the process.

RW outlined the two main concerns; firstly the consistency of the process and secondly the confusion of quality of advice with efficient service which TLS believe to be quite separate things. RW agreed to provide examples to AS for comment.

AS outlined the consistency measures in place in the peer review process, adding that whilst the nature/style or content of the reports he saw may differ between individual peer reviewers, he saw consistency in overall grading.

RC commented that the LSC need to listen to concerns and issues raised by the profession to ensure that confidence of PR as an objective and fair process is maintained. AS and LSC to address the concerns raised by TLS and including peer review statistics.

JJ highlighted concerns that peer reviewers were unlikely to criticise their paymaster re fees and quality. AS stated that the peer reviewers believed in their independence and primarily they are peers undergoing the same pressure. RC commented that the Commission do not believe that fixed fees will result in a drop in quality, however if peer reviewers objectively felt they were seeing differences this would be important feedback for the Commission.

Quality Assurance and Regulation in the NfP sector

SB outlined that QA in the sector was limited as there were not the resources to develop and maintain appropriate tools. ASA would like to see independent quality assurance mechanisms as a gateway to public money and would favour the Lexcel model if it was attainable for NfPs. The cost of this process would be an issue for NfPs.

RC said it was important that any QA mechanisms developed/used by the LSC apply to all providers.

Agenda Item 4– Client Feedback

FC noted that client feedback does not feature very heavily and asked whether the group felt it should be included in the discussions. CG stated that SRA are not looking directly at client feedback but that it formed part of the work they are conducting on consumer engagement. JS added that the LSC are taking forward a strand of work covering public and user engagement, which covers client feedback in some way.

RW commented that client feedback is a positive tool for providers as a mechanism to identify issues and improve services. It is also part of the overall quality assurance mechanisms as it is captured by SQM and Lexcel. It was agreed that client feedback should be parked for now.

Agenda item 5– AOB

SC and JS to discuss workstreams and deadlines of the group and a draft work plan to be circulated.

It was agreed that group outputs and aims should be considered at the next meeting.

Meeting dates to be circulated.

AS suggested that OISC should be contacted regarding the activity of the group.