

## PREPARING FOR PEER REVIEW

Peer review is a “remote” process insofar as the reviewer does not visit the office of the supplier but conducts the review at either a Legal Services Commission office or the Institute of Advanced Legal Studies in London. Reviewers base their quality judgment solely on the content of the files submitted for peer review. Therefore, it is important for providers to ensure that all material that shows the work done for the clients on those files is sent in for assessment. This will enable the peer reviewer to attain a clear understanding of the way a case has been conducted.

In deciding what information to submit, providers should consider the following:

- **It is not permissible to materially alter the file so as to misrepresent the work carried out, and where we identify attempts to do so this may result in action being taken against a provider.**
- Although peer reviewers do not mind how the files are organised, the person arranging the requested files should take a little time to consider how the files will look to someone who knows nothing of the supplier’s procedures and whether any explanation is necessary in a covering letter with the files sent. Fee earners may take office procedures for granted as being “known”, whereas the peer reviewer may be completely unaware of them.
- Providers need to keep in mind that the peer reviewer’s main concern regarding file organisation is whether the state of the file puts the client at risk of being disadvantaged in some way (e.g. if the file would fail the pick up test, if there was a risk of missing limitation periods or giving wrong advice because the file had missing paperwork or was in disarray). Where this is the case, the state of the file could impact on the peer reviewer’s quality judgement of the service provided to the client.

- Actions which do not appear on the files but are carried out anyway, may need explanation, for example:
  - Entering key dates on an electronic diary
  - A system for reminding caseworkers of “ last activity”
  - Caseworkers’ self-file review
  - The supplier’s internal file review system
  
- Take special care to identify and recover **linked files**. These can be essential for the reviewer to carry out the review. If a linked file cannot be found, this should be recorded in a covering letter. In any event, it will help the reviewer if all linked files can be bundled together with the original file selected for review.
  
- It will assist the review enormously and save time at the outset, if multi-file cases are bundled together securely, when sent.
  
- It will assist the reviewer in understanding the context of the supplier’s work if any standard letters and leaflets sent to clients could be attached to the files sent, perhaps in a binder. Any checklists used by caseworkers for example for taking initial instructions, would be extremely useful background information leading to an understanding of working methods.
  
- It is not permitted to alter a file once the work has been completed but in certificated cases, the billing process distorts the makeup of the contents. It would assist the review if the papers could be, as much as possible, returned to the layout at the time the bill was submitted.