



The Law Society

Minutes of the Quality Working Group held on 24th July 2008

Present:

Richard Miller (Law Society)

Linda Lee (Law Society)

Simon Cliff (Law Society)

Rodney Warren (Law Society)

Shanta Bhavnani (ASA),

Julie Swan (SRA),

Warren Seldon (MoJ),

Marc Mason (IALS),

Karen Mackay (Resolution),

Jacqui Jackson (Resolution)

Jill Saville (LSC)

Jane Pinnell (LSC)

Karen Stevens (LSC)

Jayne Elliott (LSC)

Steven Dodds (LSC)

Minutes: Grazia Trivedi

Action

1. Apologies

Avrom Sherr (IALS), Natalie Pedley (LSC)

2. Matters arising

Previous Minutes and Action Points
RM welcomed all to the meeting

Key documents distributed to all;

- Draft work plan
- Data on peer review representations outcomes and movement of ratings
- Peer review process - List of changes
- Process paper – Key changes

The previous minutes were reviewed and agreed

Previous action points		Who	Cleared/ Notes
1	Options regarding meetings' schedules inc video conference	JW/N P	To follow
2	Update on TLS/SRA discussions about quality of advice	RW/C G	✓ Agenda item 5
3	Review of work plan	TLS/L SC	✓
4	Response to additional Law Society Concern	AS	To follow
5	Update on progress of peer review discussions	RW/A S	✓ Agenda item 4
6	Updated peer review statistics with movements as a result of reps process	FC/S D	✓
7	Update on consistency between peer review panels	AS	To follow
8	Clarify the effect of unified contract judgement	NP	

3. Draft Workplan

SC and JP introduced the revised Work Plan.

RW asked why quality assurance for advocates was not included in the group's discussions WS said it had been agreed between the Law Society and LSC that QAA should sit separately when they discussed the TOR. RM and SB said that they thought the remit of the group was already wide and we needed to keep it focused on peer review and SQM concerns.

LL said that she thought that KPIs should be included in the groups remit. KS said that she had been brought into the group to ensure that any issues that came up in this group were properly linked to the groups discussing the new contracts. It was agreed that they would stay outside the work of this group initially.

LL said that as the Law Society Council had not agreed to accept the transfer of quality assurance, this was not appropriate for the group to consider in the work plan. (More in item 5)

RM suggested that 5 points in the work plan should be enough for the group to concentrate on. JS agreed with the proposal to work with the reduced work plan. She said that she hoped that the group would continue in some form beyond October so that they could be full discussion about the longer term quality framework.

As the group's work is to be completed by the end of October, a draft report format with possible headings will be circulated after the meeting for comment.

**AP1
JP**

4. Peer Review

Update on progress of peer review discussions (TLS/IALS)

RW said that TLS were still collating evidence of providers' concerns about peer review. KM said that she too could send any concerns from Resolution. KM and RW to provide a feedback to AS by 19th August for AS to respond to.

**AP2
AS/
KM/RW**

JP suggested that one outcome of the group would be to show support for the peer review as a method of assessing quality. LL thought that not enough known about peer review until there were more reviews done. Only Family and Crime have fully been rolled out and there were concerns about inconsistencies in some categories e.g Employment. JP felt that this forum provided the opportunity to raise concerns about peer review so that improvements could be made.

SB said that she thought endorsement of peer review was possible as practitioners were best placed to assess the quality of providers. KM added that peer review was better than an assessment by external, non legal auditors. She felt that more clarity was needed about the boundaries of pass/fail, file sampling and the appeal/representations process. SD provided figures to the group on the outcome of representations.

RW headlined two major concerns: a) Consistency and b) Process. He thought their may be a ramping up of standards due to the collegiate nature of peer review. He suggested that the Law Society should discuss these areas with a group of peer reviewers. SB said that the recent Improving Quality workshops had been well received by her members. They had been asked to grade a dummy file and the score was unanimous and agreed with that of the peer reviewer. They found peer review effective and useful. LL also suggested that we could introduce a survey of providers' satisfaction after each peer review. JE said that this could be something we could look to do in the long

term

5. Ownership of Quality Assurance and Quality Management Systems

There was a discussion about ownership of Quality Assurance and the Law Society's position, mentioned at the beginning of the meeting. JS said that she had not appreciated that they would not be able to discuss this as it was mentioned in the terms of reference for the group. At the last meeting it was agreed that the Law Society and SRA would discuss this outside of the QWP meeting and come back to the group. RM and LL said that the issue was around the cost of the current process and discussions should begin at CEO level. It was agreed that the discussions may need to continue beyond October and that an update on the position was probably all that could go into the QWP report.

Although the question of ownership of quality assurance schemes was included in the Terms of Reference the group agreed that the issue will not be resolved in time for the report from this group

AP 3
JP

JP said that work was continuing to look at any differences or gaps between SQM standards with those of Lexcel. A report would then come to this group. She also explained that the supervisor standards in the SQM needed to be updated as they had not been reviewed since 2002. SB said that ASA, Law Society and LSC had previously looked at defining what were the aims of the SQM. SB and RM to look for this report that the group would find useful to read.

AP 4
SB/RM

6 Accreditation

LL said that accreditation had caused the numbers of providers in certain categories of law to shrink. She questioned whether we do need peer review as well as accreditation as it added to the burden on providers. JS and JP welcomed a debate on this point. RM suggested that peer review should focus on areas of law where accreditation is not available. LL said that Social Welfare isn't being peer reviewed but, in an area of law where providers' numbers are already low, accreditation would reduce them further. Julie S said that what was needed was evidence of competence and that accreditation was a toolkit to get evidence of that. Accredited providers should score better at peer review. It was agreed that JE and SD would look at ways to capture the data so that the impact of accreditation on peer review scores could be looked at in March 09.

AP5
JE/SD

LL said that compulsion could and would put some providers out of work and the LSC should flag up if more accreditation was to be compulsory. KM said that voluntary accreditation was a good way for providers to aspire to high professional levels and, having become accredited, providers felt motivated and positive. RM suggested that the group should continue to discuss issues like this in between meetings and this continued collaboration between LS and LSC would be valuable.

7 AOB

Terms of reference:

WS asked whether a formal response from the MoJ and LSC was actually needed to the report that this group was producing. JS said that a more streamlined approach would be useful, especially if the report

was an agreed position from the parties to the agreement. It was agreed that this could be decided once we were clearer about what would be in the report.

**8. Date of Next Meeting
Friday, 5 September**

Summary of actions points

	Action Points	By Whom	By When
AP1	Draft report headings to be circulated	JP	✓ 28 July
AP2	A list of providers' concerns about peer review	KM/RW	19 August
AP3	SQM reviewed for supervisor standards and against LEXCEL	JP	
AP4	Find the old report on SQM	SB/RM	asap
AP5	Process to be developed to capture data on accreditation	JE/SD	