



## Quality Assurance Joint Working Group

### Minutes

**Who:**           **Chair:**           **Richard Collins**           **Richard Miller**  
**Attendees:**   **Antony Townsend (SRA) Shanta Bhavnani (ASA),**  
**Avrom Sherr (IALS), Colin Myerscough (MoJ),**  
**Jill Saville, Jane Pinnell, Vanessa Bailey, Stephen**  
**Dodds (LSC)**

**Minutes:**       **Nathan Cox**  
**Apologies:**   **Rodney Warren (Law Society), David Emmerson**  
**(Resolution)**

**Key documents distributed to all;**

Terms of Reference

Quality Matrix

Letter from Antony Townsend to Richard Collins dated 30.04.08, and attachments

**Agenda Item 1- Introduction**

RC welcomed all to the meeting, and explained that the group was formed out of the Legal Services Commission (LSC) agreement with The Law Society (TLS) on the Unified contract. The group would allow other members to be included as and when appropriate, and it would give the opportunity to forge a relationship between the organisations for the future.

RC explained that the meeting would cover the Terms of Reference, how work from the group is taken forward and also address any practical issues.

RM endorsed RC's introduction and added that the group is important to show the profession that the LSC and TLS are serious about making their relationship work.

**Agenda Item 2- Role/Scope of the group**

RC explained that given the confidentiality of the Unified Contract negotiations, it had not been possible to include other suggested members in the discussions, so this first meeting was important to allow other views to be expressed.

RC invited AT to begin discussions by describing the SRA position, and the letter from AT to RC that had been circulated AT explained that, in the light of the separation of the Law Society's representative and regulatory functions, it was important to understand that the SRA Board could not be bound by the outcomes of the Working Group, and that the SRA had embarked upon a comprehensive and public review of quality assurance arrangements. There was a danger of duplication and confusion. To avoid that, the SRA wished to work closely with the LSC and the profession so that wherever possible SRA quality assurance schemes could meet all or at least most of the LSC's contractual requirements. The Working Group's findings could feed into the SRA's work, though there could be issues of timing, which would need to be resolved.

RC responded to AT by clarifying the LSC position on quality as being client focussed, and also assuring AT that the LSC would not want anything from the group to cut across the SRA board.

RM confirmed that there was some concern in the profession about levels of quality that go beyond the minimum standard expected of solicitors. RC said that the bar had raised similar concerns.

AS added that the differences between solicitors and non-solicitor organisations should also be considered, and queried whether the Legal Services Board (LSB) would sit above the SRA and oversee any items from the group. AT said that his understanding was that the LSB will not approve the individual quality schemes.

RC asked all to ensure that they were happy with the Terms of Reference, and confirmed that there was some flexibility for changes to be made with the agreement of the group. JS sought to clarify whether TLS in Para.17 of the Terms of Reference meant the representative body. AT confirmed that the paragraph should be read as the representative Law Society.

RC continued by asking all for input on how transparent the group should be. RM replied by suggesting that the minutes could be published to show that the relationship is real. JS added that the email alert system could be used. All agreed that minutes should be circulated to all for approval by Tuesday 6<sup>th</sup> May. With regard to minutes, RC verified that the LSC will provide secretariat resource for the group.

AT asked for clarity around deputies. RC verified that this would be acceptable for all should it be necessary.

RC asked SB what the Not for Profit (NfP) relationship is with the SRA. SB confirmed that individual solicitors are covered by the SRA, but organisations as a whole are not.

### **Agenda Item 3- Quality Framework**

RC introduced the Quality matrix handout to show the links between the LSC and other quality or audit systems, and asked for comments.

AS raised concerns about the accuracy of the matrix, and suggested that some measurements required additional ticks in some boxes. All agreed that the measures were a mixture of what is needed to practice and what is practised.

RC gave a summary of the peer review system and how the LSC has used it, and how it will use it as a pre-requisite for Best Value Tendering (BVT). LSC sees the peer review tool as a triangulation between robust quality management and individuals in an area of law to be supervisors. All agreed that a paper was needed that sets out the LSC quality requirements with an updated matrix. It was agreed that the Code of Conduct should be removed from the matrix. A small group involving the LSC and SRA would work to map the LSC's requirements against a matrix showing existing tools.

RM raised the relationship of NfP providers to quality standards, and SB confirmed that Shelter and Citizens Advice Bureau (CAB) have quality standards in place, but she was unsure if their systems would meet requirements. SB concluded that if NfP and solicitors do the same work, then the standards and audit should be the same.

#### Accreditation

JP stated that there is no current list of who is Lexcel accredited. In response, RM informed the group that Maureen Miller is TLS contact for Lexcel. JS to contact Maureen. RM to supply the group with a note of Lexcel, and its use.

RC suggested that Lexcel may be opened up to NfP suppliers. RM added to this by suggesting that a transitional period could be used to switch from SQM to Lexcel.

SD raised a concern about client feedback being a gap in the measures. AS added that

Lexcel could demand feedback from clients but there are issues about openness and a need for independence. All agreed that client feedback needs to be addressed. **BF-1**

AT raised with the group that the SRA has consulted on accreditation already and is hoping to use one scheme. RM suggested that a paper was needed on accreditation standards for this group.

#### Peer review

RC stated that a peer review 3 or better is currently a pre qualification for BVT. He added that the profession raised concerns about the approach and confidence levels in it.

AS said we could get feedback from those suppliers who have been peer reviewed. AS added that including peer review in education systems such as the LPC, would encourage understanding for the future. RM said that he would give the group details of the feedback TLS had already received.

AS to supply the group with a paper on consistency process.

SD said that many suppliers ask to know what rating other suppliers have been given so they can see how they are getting on against the competition.

RC said there were also issues about who pays for peer review and where it sits. He stated that from an LSC perspective, the Carter recommendation is accepted and peer review should go to the SRA. In relation to BVT, RC added that peer review is a cost that suppliers would pay, but that it would be included in their tenders. He concluded that the SRA may end up owning the standards, but other bodies may receive accreditation rights too.

RC asked AT where the SRA was with regard to the peer review issue. AT responded that it is part of their work plan, but that standards need to be set first before deployment of the tool.

All agreed that inter-organisational working was important between meetings.

SB to supply the group with quality standards relationship to NfP.

SB queried whether the peer review standards can be maintained with the implementation of fixed fees and potential cost cutting. RM responded by suggesting this is discussed at another meeting, but asked whether peer review standards should be allowed to drop in light of fixed fee pressures.

RC said that the civil consulting group will review impact of fees on peer review scores.

#### **Agenda Item 4- Work Plan**

All agreed date for next meeting to be 28<sup>th</sup> May at 3pm, when a schedule of further meetings will be decided.

[Since the meeting the time has been changed to 10.00-12.00]

#### **Agenda Item 6- AOB**

JS queried whether Rodney Warren will attend the next meeting on his own or with a colleague. RM responded that civil and crime will need coverage at the meetings, so additional person required. Name to be circulated.

**Date of next meeting; 28<sup>th</sup> of May at 10am till 12pm.**