

## **Questions and Answers**

### **The revised Specialist and Mediation Quality Marks**

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## Changes to the standards

1. *My firm holds the Quality Mark (SQM and/or MQM) and intends to continue to do so. Do we need to do anything as a result of the changes?*

The revisions to the standards required of providers are quite minor. We have reviewed and updated the SQM and MQM standards to make them more generic, remove requirements that are specific to LSC contracts and reflect changes in terminology and law. Requirements that are specific to legal aid work will now be included in our contracts (e.g. supervisor requirements). The most significant change is the revision to the Equality and Diversity requirements.

Providers should familiarise themselves with the updated documents to understand:

- the changes made and what they mean for them
- where requirements have been transferred to the contract

By the start of the 2010 contract all providers must be fully compliant with the new version of the SQM and MQM

2. *How can I find out what changes have been made to the SQM and the MQM?*

The new standards and papers summarising the changes are available on the SQM and MQM pages of the LSC website.

3. *Why have these changes been made?*

From 2010 we will be letting new contracts with providers, so the time was right to make changes to the standards.

Making these changes to the standards:

- aligns them with the LSC contract from 2010
- allows us to accept Lexcel as an alternative to the SQM for 2010 onwards
- is a first step towards outsourcing the SQM from late 2010
- aligns common requirements between the SQM and the MQM ensuring consistent standards for all LSC contract holders

More detail on the rationale behind the changes is available in the 'Summary' documents on the SQM and MQM pages of the LSC website.

4. *Who were these changes discussed with?*

The changes to the SQM have been discussed with the Quality Working Group, which includes representatives from the Law Society, Advice Services Alliance, resolution and the Solicitors Regulation Authority. Changes to the MQM were discussed with the Family Mediation Council.

5. *My firm does both legal aid and private work. Does the Quality Mark (either SQM or MQM) cover all of the firm or just the legal aid departments and/or offices?*

The SQM and MQM now cover the whole firm in respect of its legal aid work rather than individual offices.

When the SQM is outsourced it will be possible for firms to choose to have their entire practice (legal aid and private work) covered by the SQM.

6. *My firm holds the SQM in housing, welfare benefits and debt. How do the changes affect me?*

Providers will no longer hold an SQM in a category of law. The SQM will provide assurance regarding the processes and procedures in place at a provider. Category specific requirements relating to Housing, Welfare Benefits and Debt will be contained in the contract.

7. *Do the changes make the standards more difficult to achieve and or maintain?*

The changes do not raise or lower the standards set by the Quality Mark. We are confident that the level the standards are pitched at is appropriate, and provides effective quality assurance.

### **Choice of Quality Standards**

8. *My firm holds the SQM and Lexcel. Which do I need for my LSC contract?*

Providers must hold a Quality Standard for the purposes of their LSC contract. This can be either the SQM or Lexcel.

9. *My firm currently holds the SQM. Can I withdraw from the SQM and obtain Lexcel instead?*

Yes, but you must have obtained the standard before you submit your application for a contract for 2010.

10. *My firm holds the MQM and the SQM. Do I need to continue to have both?*

Yes. There are significant differences between the two standards, which mean it is necessary to hold both. However where there are identical requirements (e.g. D1.3) one policy would satisfy both standards.

### **Supervisors standards**

11. *Where are the category specific supervisors legal competence standards now if they are not in the SQM? Do we still need to meet them?*

The supervisor legal competence standards now form part of the contract specification. All providers will be required to have supervisors that meet the relevant standards for the categories of law they conduct under the LSC contract.

12. *Have the category specific supervisor legal competence standards changed? If so, when will we see the changed standards?*

The supervisor legal competence standards have been reviewed and changes made for 2010 to:

- Ensure case types required reflect current legislation, contract requirements and the work practitioners are likely to conduct.

- Reflect the services that the LSC want to buy

No changes have been to the case involvement requirements (typically 350 hours). The updated standards will be published as part of the contract for 2010 in advance of the tendering process.