

Lexcel Remote Assessment Webinar



DGLEGAL

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Presenters

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Agenda

- Current Environment / Guidance
- The Process
- Potential Advantages
- Technology
- Confidentiality
- Feedback from Assessment Body on Process to Date
- Questions

Current Environment / Guidance

- Recognise challenging time facing members
- Support for Members www.lawsociety.org.uk/support-services/coronavirus
- Remote Assessment post 23rd March in accordance with Government Guidance
- Furloughed staff will normally not form part of any assessment
- There is an ability to reduce file sample size to 1 file per fee earner selected
- Solely closed files can be used
- Currently in situ for all assessments scheduled until the end of July, continuously reviewing position
- Fully understand and recognise challenges faced by Legal Practice

The Process

- Audit will be conducted through the usage of digital technology
- This includes email, video packages such as Skype, Zoom, WhatsApp and FaceTime
- If feasible, assessor can be given access to Case Management System
- Wherever possible files can be selected in advance
- Should the above not be fully possible, it is possible to have a 'split' assessment with files reviewed at a later date and cost spread
- 'Tactical' non-compliance can be raised if it is not possible to complete corrective action in 21 days (i.e. appraisals, file reviews, etc.)

Advantages

- Ability for assessment to be flexible, i.e. one day review spread over two half days
- Assessor can arrange interviews / review to meet staff commitments, including child care (i.e. early evening interview)
- Less travel / expense, multi offices completed concurrently, environmentally friendly
- There will not be a need to re-arrange assessment to a period where there may be a desire to increase capacity / staff leave
- Regular assessor will be able to accommodate remote review, may be resourcing difficulties later in the year
- Assessment cycle is maintained
- Opportunity to review current practice and receive feedback

Advantages

- Assessments can be brought forward, if desired, to utilise current window when capacity could be greater
- Assessor is sensitive to current position and can provide feedback on remote working, security, staff welfare, and best practice
- Assessment can be part of Business Continuity Planning
- A pragmatic approach will be adopted
- Desire to work with you to get best possible solution for Firm
- LAA deadlines are met
- Test links and communication prior to the review

Technology

- Should be no additional cost, apps such as Skype, Zoom and WhatsApp are free, including video features
- A lot of Organisations are utilising Microsoft Teams currently
- Can be completed through Smart Phone or Tablet with good internet connection. Should not be a barrier to remote assessment
- Ability to share file data through CMS, shared drives, data rooms
- Refer to ICO guidance on Home Working at <https://ico.org.uk/for-organisations/working-from-home/how-do-i-work-from-home-securely/>

Confidentiality

- Already an agreement in place with Assessment Body and Assessor
- CFA and individual assessor are registered with the ICO
- Data kept solely for as long as necessary, deleted post review
- Quality Standard is a contractual requirement for the LAA
- Assessor is use to working remotely / at home
- Practice should control logins, passwords and invitations
- Sensitive Data not required (Medical / Financial / Criminal Record)

The Shared File

- ❖ **5.12 and 5.13** - Risk Assessment/ CDD for AML (if regulated)
- ❖ **6.2 (a - m)** - Case Information/ Client Care
- ❖ **6.4 (a - g)** - Funding Information
- ❖ **6.5 (a - g)** - Complaints Information
- ❖ **7.1** - Case strategy/ Progression
- ❖ **7.4 (a - d)** - Ongoing key information including costs / FE continuity
- ❖ **7.5** - Evidence experts procedure has been followed
- ❖ **5.7 and 5.8** - Evidence of recording key dates and conflict check
- ❖ **7.6 (a - f)** - Closing letter and risk assessment

Feedback

Feedback from Practices post assessment:

- ❁ ‘When asked whether we wished to postpone our audit or carry on remotely my initial thought was postpone. However, I decided to find exactly how the remote audit would work and contacted the assessor, who quickly turned any negatives into positives. Despite any initial reservations we went for remote and all concerned said it was less disruptive than having a site audit. Will definitely go for remote again if offered the chance.’
- ❁ ‘To be honest I would say less overall disruption where the assessor and I worked closely to ensure that he received everything he need in advance of the audit.’
- ❁ ‘More time for interviews, felt more relaxing for the interviewees.’

Remote Lexcel Assessment

• Any Questions?

• Useful resources:

- <https://dglegal.co.uk/covid-19/>
- <https://www.lawsociety.org.uk/support-services/coronavirus/>
- <https://ico.org.uk/global/data-protection-and-coronavirus-information-hub/>
- <https://www.centreforassessment.co.uk/about-us/coronavirus/>

• Your Lexcel Assessor