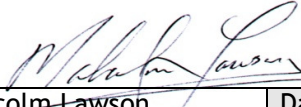


Lexcel Assessment Report

1. Practice details

Name of organisation	Rotherham MBC
Postal address	c/o Legal Services 1 st Floor, Wing C Riverside House Main Street ROTHERHAM S60 1AE

2. Lead assessor declaration

Name of Assessment Body	Assessment North East Limited		
<p>I confirm that I have had no other involvement with the implementation of the Lexcel practice management standard at the above organisation apart from the assessment and as per Lexcel office guidance</p> <p>I confirm that I have conducted the assessment on behalf of the named assessment body.</p> <p>I further confirm that the contents of this report has been explained to the above organisation.</p>			
Signature (or Tick Box)			
Print name	Malcolm Lawson	Date	26 th January 2013
Internally verified			
Signature (or Tick Box)	<input type="checkbox"/> C. Ludbrook	Date	1 st February 2013

3. Assessor's assessment summary

The assessment is conducted against version 5 of the Lexcel Practice Management Standard.

This annual maintenance review is conducted only 6 months after the last full review, which was extended with agreement from the Law Society. Since this visit there has been a number of staff who have left the service, this is mainly the result of a voluntary severance package made available by the Council but also some staff who are seeking to further their career.

A predicted restructure has been delayed because of the staffing reforms introduced across the councils, which as previously stated also impacted on the staffing levels in Legal Services. Uncertainty created by the delay in launching the new structure is having a direct impact on supervision and the general feeling amongst staff.

There was very positive feedback about the new leadership style introduced by the new Director and her commitment to Lexcel and general risk management.

Legal Services continue to lead a South Yorkshire consortium from the other councils. This provides opportunity to share experience. Indeed the Senior Business Support Officer has been seconded to one of the consortium members to assist the effective introduction of a case and time management system. This demonstrates the commitment to quality and how Rotherham Legal Services is perceived as a leader and inspiration for others.

There is a strong desire for continuous improvement, which is led from the very top, and permeating throughout the service. Following the last review visit, a number of areas for improvement were identified, all of which have been given serious attention. Changes to the file review process and general supervision practices have been received very well and this is starting to bring about useful learning, which is also influencing change in procedures and document content.

IT continues to play a significant part in the way the service is delivered. Recent updates to the case management system, the operating system and Office 2010 have all been fully supported with a formal training programme and on the job support.

There is a very good level of compliance with the requirements of the Lexcel Practice Management Standard, despite the small number of non-compliances identified, all of which have been corrected whilst on site.

Finally I would like to thank all the staff at Rotherham Metropolitan Borough Council Legal Services for their co-operation during the on-site activity, specifically those who took part in the interviews and supplied the appropriate evidence.

4. Non-compliances and areas for improvement or areas of good practice

Number of major non-compliances	0	Date CA due	N/A
Number of minor non-compliances	6	Date CA Due	All corrected on site
Number of areas for improvement	8		
Number of areas of good practice	22		

5. Assessors overall recommendations

Re-visit required within 3 months of last on-site date	Yes <input type="checkbox"/> No <input type="checkbox"/>
Documentary evidence of corrective action to be sent to assessor within 21 days of last on-site date	Yes <input type="checkbox"/> No <input type="checkbox"/>
Continue certification (select if no non-compliances)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Corrective action received on site	Yes <input type="checkbox"/> No <input type="checkbox"/> Partial <input type="checkbox"/>

6. Assessment details

Assessment type	Initial <input type="checkbox"/>	AMV1 <input type="checkbox"/>	
	AMV 2 <input type="checkbox"/>	Full <input type="checkbox"/>	
Total on-site days	1.5 days	On-site dates	22 nd & 23 rd January 2013
Total preparation time	.25	Total report writing time	.25
Number of assessors	One		
Name of other assessor(s)	N/A		
Total fee paid to Assessment Body	£1400.00		

7. Other quality standards

Lexcel only	Yes <input type="checkbox"/> No <input type="checkbox"/>
Conveyancing Quality Scheme (CQS)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Joint - Lexcel & Investors in People	Yes <input type="checkbox"/> No <input type="checkbox"/>
Joint - Lexcel & ISO9001:2000	Yes <input type="checkbox"/> No <input type="checkbox"/>
Credit given for liP/ISO9001	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the organisation hold an SQM franchise?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Credits given for SQM	Yes <input type="checkbox"/> No <input type="checkbox"/>

8. Assessment statistics

Total number of fee earners	22	
Number of fee earners in sample	4	
Total number of support staff	5	
Number of support staff in sample	2	
Total number of open files	1149	
Number of open case files in sample	8	
Number of closed files in sample	4	
Total number of case files in sample	Direct access [6]	Access via fee earner[6]

9. Lexcel standard compliance

Section 1: structures and policies

Major/Minor	Requirement	Details	Evidence required
N/A			
Areas of good practice			
<ul style="list-style-type: none"> All staff have participated in e-learning training to understand the firm's equality and diversity policy. 			
Areas for improvement			
<ul style="list-style-type: none"> The anticipated restructure of Legal and Democratic Services has not yet taken place. The uncertainty is creating anxiety amongst staff. This needs to be resolved as soon as possible. 			

Section 2: Strategic plans

Major/Minor	Requirement	Details	Evidence required
N/A			
Areas of good practice			
<ul style="list-style-type: none"> Considered business plan with specific objectives. Business Continuity Plan tested recently with the heavy snowfall. The content of the business continuity plan has also been refreshed to reflect the changes to agile working and the introduction of the new VOIP telephone system. 			
Areas for improvement			
<ul style="list-style-type: none"> The content of the service plan is very dynamic with changing portfolios of the Director. Consider underpinning this plan with a one page summary of key performance measures (scorecard/dashboard) to ensure effective monitoring of core performance. This will also provide a solid base for an effective performance management system. 			

Section 3: Financial management

Major/Minor	Requirement	Details	Evidence required
N/A			
Areas of good practice			
<ul style="list-style-type: none"> Financial reporting practices of Legal Services are managed in accordance with Council procedures. All financial management aspects of the standard have been fully satisfied. 			
Areas for improvement			
<ul style="list-style-type: none"> None identified. 			

Section 4: Information management

Major/Minor	Requirement	Details	Evidence required
N/A			
Areas of good practice			
<ul style="list-style-type: none"> An upgrade to IKEN case management software has been fully supported with a comprehensive training programme for all staff. There has also been a significant investment in IT with the upgrade to Office 2012. Again full training has been provided as required. IT upgrades have increased the speed of connection for homeworkers. The Senior Business Support officer has been seconded on a part time basis to another member of the South Yorkshire Consortium to assist in introducing IKEN into this County Council. This is also a developmental opportunity for the individual involved. 			
Areas for improvement			
<ul style="list-style-type: none"> None identified 			

Section 5: People management

Major/Minor	Requirement	Details	Evidence required
N/A			
Areas of good practice			
<ul style="list-style-type: none"> Team Manager encouraged to shadow the Director of Legal services as part of their own development. New Director's strong decisive leadership has made a very impressive impact. Increased confidence, clear direction, and structured procedures. Regular and meaningful team meetings. Recently subscribed to LGBTV, on line learning, offering a more cost effective learning delivery approach. 			
Areas for improvement			
<ul style="list-style-type: none"> Review the Services approach to performance management ensuring all the appropriate elements are contributing and integrated effectively (PRD, Supervision, Work Reviews, target setting, etc.). Consider ways to integrate this with the Service's procedure for dealing with underperformance. Consider appropriate induction into new roles/responsibilities for existing staff. A proactive and considered approach could prove very useful when introducing the new structure of the Service. 			

Section 6: Risk management

Major/Minor	Requirement	Details	Evidence required
Minor	6.8 c	There was no evidence that a conflict check had been conducted on matter 49237.	Corrected on site
Minor	6.11 d	Two of the files that have been formally reviewed under the new procedure required corrective action, however the new procedure and form does not have any provision to acknowledge that the required corrective action has been taken?	Corrected on site
Areas of good practice			
<ul style="list-style-type: none"> • The supervision policy has been fully revised and amended since the last assessment visit. • Regular work reviews carried out as part of the Services Performance Management practices. • SB has customised the work review form into a more usable aide memoire to ensure all 12 topics are covered during the meeting. • All high risk matters are reported and recorded centrally. Bespoke investigations are conducted and appropriate actions taken to help mitigate the risk. • Consider skills and knowledge 'vulnerability points' within the current slim line service. Think about the benefit of an essential skills or knowledge matrix as a tool to assist managing any noticeable gaps. 			
Areas for improvement			
<ul style="list-style-type: none"> • Continue to encourage staff to be more conscious about operational risks and how Lexcel procedures are a useful tool to aide them in this task. 			

Section 7: Client care

Major/Minor	Requirement	Details	Evidence required
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Minor	7.2	The client care memos on matter files 49680, 47090, 50171 49237, 49049 did not contain the status of the fee earner and the status of the supervisor.	Corrected on site
Minor	7.2 f	The client was not informed about the likely timescale of matters 49237 and 49049.	Corrected on site
Areas of good practice			
<ul style="list-style-type: none"> Time recording guidance documents provide very detailed instruction about how time is to be recorded and instructions for regular billing. 			
Areas for improvement			
<ul style="list-style-type: none"> Discourage fee earners from amending the relevant content of standard client related templates. 			

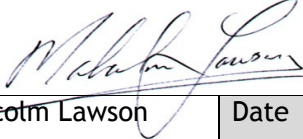
Section 8: File and case management

Major/Minor	Requirement	Details	Evidence required
Minor	8.3 c	There was no cost update record on matter file 47090 and the final bill was more than the initial estimate.	Corrected on site
Minor	8.6 d	The counsel used on matter 49049, who has also been used on other matters, was not on the central register of experts.	Corrected on site
Areas of good practice			
<ul style="list-style-type: none"> File review document has been reviewed and amended. Following feedback from the last Lexcel assessment the file review procedure has been adjusted resulting in more frequent reviews. This has already identified some development areas with regard to the way some fee earners manage their matters. As a result people are increasing their confidence in the process. File review practices are occurring more frequently. Increased discipline. 			
Areas for improvement			

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- Client satisfaction surveys have been deferred since September 2012 to enable the completion of a Council wide questionnaire. It is important to reinstate this practice as soon as possible to maintain the discipline of clients to provide useful feedback.
 - The workflow used for childcare matters does not work when the Service is the respondent.

Confirmation assessment report understood

Practice representative			
Signature (or Tick Box)	<input type="checkbox"/>		
Print name		Date	

Assessor			
Signature (or Tick Box)			
Print name	Malcolm Lawson	Date	26 th January 2013

For Lexcel office internal use only

Reviewed by		Date	
Action required			