

Voluntary quality schemes in legal services

Assessment of selected schemes

Scheme: Association of Personal Injury Lawyers (APIL) Accreditation		
	Assessment	Rating
Relevant and transparent entry requirements	<ul style="list-style-type: none"> • APIL publishes the application form that applicants (individuals and firms) must complete (different forms for different levels). This seeks information on technical knowledge, experience, cases and client care. Referee reports are also required. Information on the knowledge and experience expected from applicants at different levels is available. • Data illustrates that applicants can and do fail to gain accreditation • A new detailed competency framework has been established for each level that sets out what members need to demonstrate and covers technical skills and client care. This will be launched in 2012. 	
Structured re-accreditation	<ul style="list-style-type: none"> • Reaccreditation is required for accredited firms every 3 years and involves a re-assessment against entry requirements. • For individuals, re-accreditation is awarded annually following renewal of membership and completion of annual CPD log 	
Diverse and ongoing competence checks	<ul style="list-style-type: none"> • The main checks for accredited firms are re-accreditation and mystery shopping checks. • The main check on competence for individuals is the annual CPD requirement. All scheme members are required to maintain a log of PI CPD that must meet the 16 hour requirement and which is checked every 3 years. • Data shows that members can and do lose accreditation for failing to meet these requirements. • No other competence checks, including proactive checks, such as risked-based or random monitoring visits or spot checks, were apparent for individuals. 	
Structured sanctions and disciplinary process	<ul style="list-style-type: none"> • APIL code of conduct sets out enforcement and disciplinary steps for breaches. • Failure to fulfil requirements means loss of accreditation. 	

Scheme: Association of Personal Injury Lawyers (APIL) Accreditation		
	<ul style="list-style-type: none"> Data illustrates that applicants can and do lose accreditation. 	
Targeted, understandable and easily available scheme information for consumers	<ul style="list-style-type: none"> A dedicated consumer section of website explains what different levels mean, why look for an accredited provider and includes the consumer charter. The scheme is promoted to consumers through website, members and leaflets in CABs. APIL has been working with a marketing agency to increase consumer awareness. 	
Clear and accessible consumer complaints and feedback processes	<ul style="list-style-type: none"> There is a specific complaints process for consumers in relation to scheme members. However, there is no information available for consumers on this process, which could only be found within professional documentation. APIL has indicated this process will be incorporated into a re-designed website in 2012. A dedicated section on website is provided for consumer feedback and experiences. 	
Use of lay input	<ul style="list-style-type: none"> There is lay involvement in consumer publications, through the PEOPLE FIRST Advisory board, as well as in the review and monitoring of the scheme, through the Independent Academic Quality Council. 	
Incorporates consumer needs and views	<ul style="list-style-type: none"> Historically, some consumer research has been undertaken on kite marks and usage, which resulted in the development of public information campaign leaflets. APIL has advised that consumer feedback provided about scheme members is monitored and considered. 	
Scheme effectiveness monitored and periodically reviewed	<ul style="list-style-type: none"> The scheme was reviewed in 2009, resulting in new competency framework. There is no overarching testing of whether the scheme delivers higher quality providers. 	
Adequate resourcing	<ul style="list-style-type: none"> A number of dedicated staff and an accreditation sub-committee support this scheme. 	Not assessed

Scheme: Action against Medical Accidents (AvMa) Clinical Negligence Specialist Solicitors		
	Assessment	Rating
Relevant and transparent entry requirements	<ul style="list-style-type: none"> • AvMa publishes detailed criteria that set out the standards that it expects applicants to be able to demonstrate. These include experience, technical knowledge, client care and ongoing training. • Data shows that applicants can and do fail to gain accreditation 	
Structured re-accreditation	<ul style="list-style-type: none"> • Reaccreditation is required every 5 years, and requires similar process to initial application. • Applicants need to collect and include client complaints and feedback as part of this process. 	
Diverse and ongoing competence checks	<ul style="list-style-type: none"> • Reaccreditation is the main form of ongoing checks. Although data on failure rates is not collected, other data indicates that re-accreditation results in reviews and monitoring of borderline applicants. • Panel members are required to undertake 12 hours of relevant CPD each year, and records of the previous 3 years are checked at re-accreditation. • Panel members must inform AvMa of any changes of, or within, firm, and share information with AvMa in relation to cases, problems, specific case outcomes and other information. • There are no proactive checks, such as risk-based or random monitoring visits or spot checks. 	
Structured sanctions and disciplinary process	<ul style="list-style-type: none"> • There is a structured and published approach to sanctions/discipline process. • Data illustrates that applicants can and do lose membership. 	
Targeted, understandable and easily available scheme information for consumers	<ul style="list-style-type: none"> • AvMa's website provides detailed consumer-facing information for consumers on clinical negligence and the specialist Panel. The website sets out what the scheme means, why consumers may want to use members, and help on how to choose and find a specialist solicitor. • An advice helpline also available 	

Scheme: Action against Medical Accidents (AvMa) Clinical Negligence Specialist Solicitors		
Clear and accessible consumer complaints and feedback processes	<ul style="list-style-type: none"> • There is a complaints process, however information appears only in professional documentation. • There are no other explicit feedback mechanisms. 	
Use of lay input	<ul style="list-style-type: none"> • Although there is no lay involvement in the scheme development process, some members of the assessment panel are lay. 	
Incorporates consumer needs and views	<ul style="list-style-type: none"> • No evidence was available to indicate that consumer views are collected or incorporated. However, AvMa has indicated that any received feedback is reflected upon. 	
Scheme effectiveness monitored and periodically reviewed	<ul style="list-style-type: none"> • AvMa has indicated that the scheme is regularly reviewed in reaction to external events, such as changes in public funding. • There is no overarching testing of whether the scheme delivers higher quality providers. 	
Adequate resourcing	<ul style="list-style-type: none"> • The scheme is supported by a dedicated committee. 	Not assessed

Scheme: Queens Counsel (QC) Appointments		
	Assessment	Rating
Relevant and transparent entry requirements	<ul style="list-style-type: none"> The QC Appointments Panel publishes the detailed competency standards that applicants need to meet. These include competencies in relation to technical and client care skills. Data illustrates that applicants can and do fail to gain appointment. 	
Structured re-accreditation	<ul style="list-style-type: none"> None – ongoing appointment not subject to review 	
Diverse and ongoing competence checks	<ul style="list-style-type: none"> None – ongoing appointment not subject to review 	
Structured sanctions and disciplinary process	<ul style="list-style-type: none"> There is no sanction or disciplinary processes that specifically relates to holding the title of QC. The Panel understands that under extreme circumstances the title can be removed by the Queen under the Great Seal on the advice of the Lord Chancellor. It is also open to regulators to ask the Selection panel to consider recommending the removal of the QC title, where justified. However, the Panel understands that although this has occurred in the past, it is a rare occurrence and it seems unlikely that this sanction would be seen as a genuine risk. 	
Targeted, understandable and easily available scheme information for consumers	<ul style="list-style-type: none"> The scheme website is primarily directed at professionals, with most information being about on how to apply. There are no consumer-facing publications available. The Panel recognises that the audience for this scheme is varied, with the majority of clients likely to be professional, namely solicitors. However, the Panel is also aware that appointment is used by advocates, for example on websites or profiles, to differentiate themselves. Therefore information for individuals would be expected. 	
Clear and accessible consumer complaints and feedback processes	<ul style="list-style-type: none"> No complaints or feedback mechanisms. QC Appointments has noted that clients can raise concerns using normal complaints pathways. 	

Scheme: Queens Counsel (QC) Appointments		
Use of lay input	<ul style="list-style-type: none"> • The Selection Panel has lay members and a lay chair. • The application process requires a client reference (although this is likely to be a solicitor, it could be a lay client) 	
Incorporates consumer needs and views	<ul style="list-style-type: none"> • Other than client reference in appointment process, no feedback mechanisms were apparent. 	
Scheme effectiveness monitored and periodically reviewed	<ul style="list-style-type: none"> • The scheme was reviewed in 2003, resulting in new competency framework being introduced from 2005. • The Selection Panel reviews the operation of the scheme each year. • There is no overarching testing of whether the scheme delivers higher quality providers. 	
Adequate resourcing	<ul style="list-style-type: none"> • The purpose of the QC appointments is to receive and consider applications for appointment. This is undertaken by a Selection Panel and supported by a secretariat. 	Not assessed.

Scheme: Resolution Accredited Specialist		
	Assessment	Rating
Relevant and transparent entry requirements	<ul style="list-style-type: none"> • Accreditation is based on experience requirements and two written assessments on technical knowledge. Specialists must also comply with Resolution Code of Practice. Documentation sets out the knowledge expected from applicants, as well as expected standards in relation to practise management and case management. • However, transparency on entry requirements is low; the Panel was unable to find any public information on entry requirements or expected standards. • Data illustrates that applicants can and do fail to gain accreditation 	
Structured re-accreditation	<ul style="list-style-type: none"> • Re-accreditation is required every 5 years, and includes checks on CPD record and submission of case summaries. 	
Diverse and ongoing competence checks	<ul style="list-style-type: none"> • Re-accreditation is the main check on competence. Data indicates that people can and do fail. • Members are required to undertake at least 8 hours family law-related CPD, and in addition to records needing to be submitted at re-accreditation, CPD records can be requested at anytime. • Members are also expected to meet annual volume requirement of at least 550 hours in family law case work each year, however, it is unclear how or if this is checked. • No proactive checks, such as risk-based or random monitoring visits or spot checks, were apparent. 	
Structured sanctions and disciplinary process	<ul style="list-style-type: none"> • Resolution is able to revoke membership for a range of reasons and has a structured process for revocation and appeals by members. • Data illustrates that applicants can and do lose accreditation. 	
Targeted, understandable and easily available scheme information for consumers	<ul style="list-style-type: none"> • The website is targeted at consumers and provides significant consumer-facing information about family law and how to seek advice. Consumers can search for an accredited specialist on the website, and there is a small amount of information on what accreditation means and 	

Scheme: Resolution Accredited Specialist		
	<p>the different expertise available.</p> <ul style="list-style-type: none"> • However, there is significant risk that consumers may not understand the difference between Resolution members and the sub-set of accredited specialists, or what to expect from an accredited specialist over a standard member. Resolution has indicated that consumer information on their website is to be reviewed. • Accredited members are provided with a promotion pack they can use to provide information to consumers. 	
Clear and accessible consumer complaints and feedback processes	<ul style="list-style-type: none"> • There is a complaints process as part of the resolution membership (which applies to accredited specialists as well), with details provided on the website. The Panel understands that members have hard copies of a complaints brochure which can be provided to clients. • No other feedback mechanisms were apparent, although Resolution has indicated they are to be considered. 	
Use of lay input	<ul style="list-style-type: none"> • The Panel was unable to find evidence of lay input at any stage. 	
Incorporates consumer needs and views	<ul style="list-style-type: none"> • Although Resolution holds discussions with LSC about its needs, there does not appear to be any incorporation of views from other types of consumers. 	
Scheme effectiveness monitored and periodically reviewed	<ul style="list-style-type: none"> • The scheme is monitored 4 times per year, drawing on applicant pass rates and feedback from members and LSC. Rules and specialisations are then amended if necessary. • There is no overarching testing of whether the scheme delivers higher quality providers. 	
Adequate resourcing	<ul style="list-style-type: none"> • There is a specific management committee, dedicated staff and panel of assessors. 	Not assessed

Scheme: Society of Trust and Estate Practitioners (STEP) full member (TEP) (process for England and Wales only)		
	Assessment	Rating
Relevant and transparent entry requirements	<ul style="list-style-type: none"> STEP publishes information on the various application routes, with different entry requirements for each. To gain membership, applicants may need to obtain qualifications, or, for those with experience or existing qualifications, meet experience requirements, demonstrate knowledge through written assessments and/or provide references. The emphasis of entry requirements is on technical competence, although STEP has indicated that client care is covered within the syllabus of the qualifications entry route. Data illustrates that applicants can and do fail to gain accreditation. 	
Structured re-accreditation	<ul style="list-style-type: none"> Membership is re-accredited annually following renewal of membership and completion of annual CPD log. STEP has indicated that it is planning a re-validation process for those taking the will preparation qualification. 	
Diverse and ongoing competence checks	<ul style="list-style-type: none"> The main check on competence is the CPD requirement. Members are required to undertake 35 hours of relevant CPD every year and maintain records for 6 years. Records are checked annually on a random basis. Data indicates that there can be loss of membership due to failing this requirement. No other competence checks, including proactive checks, such as risk-based or random monitoring visits or spot checks, were apparent. 	
Structured sanctions and disciplinary process	<ul style="list-style-type: none"> STEP has Disciplinary Panel who can investigate on reports that members have acted in contravention of the Code of Professional Conduct and take remedial action. There are a range of incremental sanctions from reprimand through to termination of membership. Data illustrates that applicants can and do lose membership. 	
Targeted, understandable and easily available scheme information for	<ul style="list-style-type: none"> There is some text on the STEP website that explains what the STEP qualification means and a number of consumer-facing publications on the areas of work undertaken by members (eg. wills). There is also a 	

Scheme: Society of Trust and Estate Practitioners (STEP) full member (TEP) (process for England and Wales only)		
consumers	<ul style="list-style-type: none"> member search function on the website. However, most of the information available appears to be targeted at professionals or potential members and there is little information about what consumers can expect from members. 	
Clear and accessible consumer complaints and feedback processes	<ul style="list-style-type: none"> There is a complaints process that results in members being subject to STEP's disciplinary processes. However, the Panel was unable to find any information for consumers about this process, as it could only be found within documentation aimed at professionals. No other formal feedback mechanisms were apparent. 	
Use of lay input	<ul style="list-style-type: none"> Lay members are required for disciplinary hearings and the STEP qualifications are reviewed and accredited by a non-industry organisation – Manchester Business School 	
Incorporates consumer needs and views	<ul style="list-style-type: none"> No evidence was available to indicate that consumer views are incorporated. However, the Panel understands that further use of consumer views is being considered. STEP has undertaken research into market needs, for example the recent "Cowboy Will Writers" report. 	
Scheme effectiveness monitored and periodically reviewed	<ul style="list-style-type: none"> The scheme was recently reviewed and committees monitor procedures on an ongoing basis. The International qualification is reviewed by a representative body of the major industry organisations and by the Manchester Business School. The views of firms on the qualifications themselves are also monitored. There is no overarching testing of whether the scheme delivers higher quality providers. 	
Adequate resourcing	<ul style="list-style-type: none"> There are dedicated departments on professional standards, education and membership, and member-led committees. 	Not assessed

Scheme: The Law Society (TLS) Children Panel		
	Assessment	Rating
Relevant and transparent entry requirements	<ul style="list-style-type: none"> • TLS publishes the knowledge and competencies that members are expected to meet. This is primarily a list of processes and legislation. Applicants must undergo an enhanced CRB check and external training • Data illustrates that applicants can and do fail to gain accreditation 	
Structured re-accreditation	<ul style="list-style-type: none"> • Re-accreditation required every 5 years and includes details of recent cases, CPD record and a further CRB check 	
Diverse and ongoing competence checks	<ul style="list-style-type: none"> • Re-accreditation is the main check on competence. • However, data indicates that there are no failures in reaccreditation; this raises some questions in terms of its effectiveness as a guarantee of competence. • Although re-accreditation seeks information on CPD, there are no set requirements for amount of relevant CPD. • No proactive checks, such as risk-based or random monitoring visits or spot checks, were apparent. 	
Structured sanctions and disciplinary process	<ul style="list-style-type: none"> • TLS is able deny, suspend or revoke membership, and there are appeal/review mechanisms. TLS has indicated that new annual checks on conduct history are to be introduced. • However, there were no revocations in last 5 years; this raises questions about the effectiveness of the sanctions process and whether the loss of membership is a genuine risk. 	
Targeted, understandable and easily available scheme information for consumers	<ul style="list-style-type: none"> • The majority of information on this scheme is within the professional section of the website '<i>Promoting solicitors</i>' and within scheme guidance for applicants, rather than in consumer-facing publications. • Although not yet launched, TLS has established a consumer-facing '<i>law society approved</i>' website for this scheme. This lets consumers search for members and indicates the kinds of advice members can provide, however it does not outline what consumers can expect or what members need to do to gain membership. 	

Scheme: The Law Society (TLS) Children Panel		
	<ul style="list-style-type: none"> The Panel understands that this site is being tested and a publicity campaign is planned. 	
Clear and accessible consumer complaints and feedback processes	<ul style="list-style-type: none"> There is a specific complaints process for consumers in relation to scheme members. However, there is no information available for consumers on this process, which could only be found within documentation aimed at professionals. No other feedback mechanisms were apparent, although TLS has indicated they are under development. 	
Use of lay input	<ul style="list-style-type: none"> TLS has indicated that the Technical Panel for this scheme is able to have lay members if the Chief Assessor considers it appropriate. However, the Panel was unable to find evidence of any lay input. 	
Incorporates consumer needs and views	<ul style="list-style-type: none"> No evidence was available to indicate that consumer views are incorporated. However, TLS has indicated that stakeholder views are sought when considered necessary. Once further feedback mechanisms are finalised, this may allow feedback to be considered to a greater extent. 	
Scheme effectiveness monitored and periodically reviewed	<ul style="list-style-type: none"> The scheme is currently being reviewed. Although there is no regular monitoring process at present, TLS has indicated that this is under development and that the Chief Assessor currently reviews scheme content on an ongoing basis. There is no overarching testing of whether the scheme delivers higher quality providers. 	
Adequate resourcing	<ul style="list-style-type: none"> This scheme is supported by the Accreditation unit, as well as external assessors. 	Not assessed

Scheme: TLS Criminal Litigation		
	Assessment	Rating
Relevant and transparent entry requirements	<ul style="list-style-type: none"> • TLS publishes the detailed standards that all members are expected to meet. This includes technical knowledge and client care. • Applicants are assessed by independent 'approved assessment organisations', with the assessment process involving the presentation of a portfolio, an interview and test. 	
Structured re-accreditation	<ul style="list-style-type: none"> • There are no re-accreditation requirements at present, however TLS has advised these are being developed for 2012. 	
Diverse and ongoing competence checks	<ul style="list-style-type: none"> • The scheme requires 6 hours of relevant CPD to be undertaken each year, but in the absence of a re-accreditation process, it is unclear how, or if, this is verified. • No other competence checks, including proactive checks, such as risked-based or random monitoring visits or spot checks, were apparent. 	
Structured sanctions and disciplinary process	<ul style="list-style-type: none"> • TLS is able deny, suspend or revoke membership, and there are appeal/review mechanisms. TLS has indicated that new annual checks on conduct history are to be introduced. • However, there were no revocations in last 5 years; this raises questions about the effectiveness of the sanctions process and whether the loss of membership is a genuine risk. 	
Targeted, understandable and easily available scheme information for consumers	<ul style="list-style-type: none"> • The only information on this scheme was within the professional section of the website '<i>Promoting solicitors</i>' and scheme guidance for applicants. • The Panel was unable to find any consumer-facing information that explains this scheme, especially its very focussed nature on magistrate courts and duty solicitor work, or what consumers should expect from accredited individuals. • The Panel recognises that the main audience for this scheme is the LSC. However, the Panel is also aware that membership is something claimed by law firms more widely, such as on their websites and solicitors profiles, which are targeted at individual consumers. Therefore information targeted at individual would be expected. 	

Scheme: TLS Criminal Litigation		
Clear and accessible consumer complaints and feedback processes	<ul style="list-style-type: none"> • There is a specific complaints process for consumers in relation to scheme members. However, the Panel was unable to find any information for consumers about this process, as it could only be found within documentation aimed at professionals. • No other feedback mechanisms were apparent, although TLS has indicated they are under development. 	
Use of lay input	<ul style="list-style-type: none"> • Given the assessment process is undertaken by independent organisations, many of which are based within universities, there may be some lay involvement. • However, the Panel was unable to find evidence of any lay input. 	
Incorporates consumer needs and views	<ul style="list-style-type: none"> • No evidence was available to indicate that consumer views are incorporated. However, TLS has indicated that stakeholder views are sought when considered necessary. • Once further feedback mechanisms are finalised, this may allow feedback to be considered to a greater extent. 	
Scheme effectiveness monitored and periodically reviewed	<ul style="list-style-type: none"> • The scheme is currently being reviewed. • Although there is no regular monitoring process at present, TLS has indicated that this is under development and that the Chief Assessor currently reviews scheme content on an ongoing basis. • There is no overarching testing of whether the scheme delivers higher quality providers. 	
Adequate resourcing	<ul style="list-style-type: none"> • Given scheme entry assessment processes is undertaken externally by approved organisations, it seems likely that this part is resourced sufficiently. • The scheme is also supported by the Accreditation unit. 	Not assessed

Scheme: TLS Clinical Negligence		
	Assessment	Rating
Relevant and transparent entry requirements	<ul style="list-style-type: none"> • TLS publishes the experience, knowledge and skills expected from applicants, however much of this is set out at a very general level, such as 'interviewing'. This made it difficult to understand the standard expected within these areas. • Applicants must demonstrate that their firm meets set practice management standards, it must hold Lexcel accreditation or be a member of the PI Accreditation panel. • Data illustrates that applicants can and do fail to gain accreditation. 	
Structured re-accreditation	<ul style="list-style-type: none"> • Re-accreditation is required every 5 years and includes details of recent cases, CPD record and firm-systems, which need to be re-certified by a firm partner. Information is also requested from SRA and LeO. 	
Diverse and ongoing competence checks	<ul style="list-style-type: none"> • Re-accreditation is the main check on competence. Members are expected to undertake at least 10 hours of Clinical negligence related CPD per year, which is checked as part of reaccreditation. • However, data indicates that there are no failures in reaccreditation; this raises some questions in terms of its effectiveness as a guarantee of competence. • No proactive checks, such as risked-based or random monitoring visits or spot checks, were apparent. 	
Structured sanctions and disciplinary process	<ul style="list-style-type: none"> • TLS is able deny, suspend or revoke membership, and there are appeal/review mechanisms. TLS has indicated that new annual checks on conduct history are to be introduced. • However, there were no revocations in last 5 years; this raises questions about the effectiveness of the sanctions process and whether the loss of membership is a genuine risk. 	
Targeted, understandable and easily available scheme information for	<ul style="list-style-type: none"> • The majority of information on this scheme is within the professional section of the website '<i>Promoting solicitors</i>' and within scheme guidance for applicants, rather than in consumer-facing publications. 	

Scheme: TLS Clinical Negligence		
consumers	<ul style="list-style-type: none"> Although not yet launched, TLS has established a consumer-facing '<i>law society approved</i>' website for this scheme. This lets consumers search for members and indicates the kinds of advice members can provide, however it does not outline what consumers can expect or what members need to do to gain membership. The Panel understands that this site is being tested and a publicity campaign is planned. 	
Clear and accessible consumer complaints and feedback processes	<ul style="list-style-type: none"> There is a specific complaints process for consumers in relation to scheme members. However, there is no information available for consumers on this process, which could only be found within documentation aimed at professionals. No other feedback mechanisms were apparent, although TLS has indicated they are under development. 	
Use of lay input	<ul style="list-style-type: none"> TLS has indicated that the Technical Panel for this scheme is able to have lay members if the Chief Assessor considers it appropriate. However, the Panel was unable to find evidence of any lay input. 	
Incorporates consumer needs and views	<ul style="list-style-type: none"> No evidence was available to indicate that consumer views are incorporated. However, TLS has indicated that stakeholder views are sought when considered necessary. Once further feedback mechanisms are finalised, this may allow feedback to be considered to a greater extent. 	
Scheme effectiveness monitored and periodically reviewed	<ul style="list-style-type: none"> The scheme is currently being reviewed. Although there is no regular monitoring process at present, TLS has indicated that this is under development and that the Chief Assessor currently reviews scheme content on an ongoing basis. There is no overarching testing of whether the scheme delivers higher quality providers. 	

Scheme: TLS Conveyancing Quality Scheme (CQS)		
	Assessment	Rating
Relevant and transparent entry requirements	<ul style="list-style-type: none"> • TLS publishes the requirements that firms are expected to meet in relation to practise management and probity, and there are a range of checks, such as CRB and fraud. Accepted firms must also participate in specific training. • The SRO and Head of Conveyancing need to state their experience in conveyancing, as well as provide CPD records. However, there are no published requirements about the technical knowledge or competencies expected from these individuals, or others within a firm, nor is there a requirement for applicants to demonstrate how they meet such technical competencies. Instead, firms self-certify that they will comply with TLS' conveyancing protocol. • Data illustrates that applicants can and do fail to gain accreditation. 	
Structured re-accreditation	<ul style="list-style-type: none"> • The Panel understands this will be required on a yearly basis, however there is not information available on how this will be structured/undertaken . • As a new scheme, there is no data yet available on pass/fail rates. 	
Diverse and ongoing competence checks	<ul style="list-style-type: none"> • In addition to re-accreditation, the scheme require firms to provide 6-monthly reports on complaints or adverse regulatory interaction, to advise TLS of staff changes and undertake vetting of new staff. • Firms can also be subject to risk-based and random monitoring visits. • However, the emphasis appears to be on probity and firm practice. Although training on the conveyancing protocol is mandatory for relevant firm staff, the Panel could not find any checks on actual conveyancing skills and there are no conveyancing-related CPD requirements to maintain accreditation; this raises a question about whether the existing checks provide an ongoing guarantee of technical competence. 	

Scheme: TLS Conveyancing Quality Scheme (CQS)		
Structured sanctions and disciplinary process	<ul style="list-style-type: none"> • A CQS Assessment Panel and Appeals panel has been established, although their role relates to considering borderline applications and scheme entry appeals. • TLS is able deny, suspend or revoke membership, and there are appeal/review mechanisms. • As a new scheme, there is no data yet on the effectiveness of these processes. 	
Targeted, understandable and easily available scheme information for consumers	<ul style="list-style-type: none"> • TLS has established a single '<i>law society approved</i>' website that includes CQS. This site can be reached through links of the TLS website and lets consumers search for members as well as sets out what a consumer can expect. • There is a consumer charter, however the Panel could only locate copies within the professional section of TLS' website. • TLS has indicated it is working on making information more widely available. 	
Clear and accessible consumer complaints and feedback processes	<ul style="list-style-type: none"> • There is a specific complaints process for consumers. However, there is no information available for consumers on this process, which can only be found within documentation aimed at professionals. • Scheme literature states that a consumer helpline is available, however the Panel has been unable to find further details or a number. • Member firms agree to collect consumer feedback and to provide clients with the option of participating in feedback surveys, however, it is unclear the extent to which this occurs. 	
Use of lay input	<ul style="list-style-type: none"> • The CQS Assessment Panel has lay members, but they are only involved in considering borderline applications. • No evidence could be found of other lay input. 	
Incorporates consumer needs and views	<ul style="list-style-type: none"> • The scheme has been developed with involvement from larger consumers, such as CML. However, there is no evidence to indicate that views of other consumers have been incorporated. That said, TLS has indicated that stakeholder views are sought when considered necessary. 	

Scheme: TLS Conveyancing Quality Scheme (CQS)		
	<ul style="list-style-type: none"> Once further feedback mechanisms, such as the helpline or client surveys, are finalised this may allow feedback to be considered to a greater extent. 	
Scheme effectiveness monitored and periodically reviewed	<ul style="list-style-type: none"> This a new scheme and TLS has indicated it is subject to ongoing monitoring and the aim is to improve standards over time. However, there is no indication that this will include overarching testing of whether the scheme delivers higher quality providers. 	
Adequate resourcing	<ul style="list-style-type: none"> This scheme is supported by a dedicated unit of 24 staff, with its own budget. 	Not assessed

Scheme: TLS Family Law (general and advanced)		
	Assessment	Rating
Relevant and transparent entry requirements	<ul style="list-style-type: none"> • TLS publishes the questionnaires that applicants must complete, which seeks information on technical knowledge, experience and client care. Detailed information on the knowledge and experience expected from advanced applicants is available. However, other than volume requirements, TLS does not seem to publish the expected standards or competencies that should be met by general applicants. • Data illustrates that applicants can and do fail to gain accreditation. 	
Structured re-accreditation	<ul style="list-style-type: none"> • Re-accreditation is required every 5 years for members of the general scheme and includes consideration of CPD, case summaries, client care letters and possibly referee reports. • Re-accreditation for members of the advanced scheme is under development and is expected to commence in 2012. 	
Diverse and ongoing competence checks	<ul style="list-style-type: none"> • Re-accreditation is the main check on competence for members of the general scheme. However, data indicates that there are no failures in reaccreditation; this raises some questions in terms of its effectiveness as a guarantee of competence. • All members must undertake 6 hours of family-related CPD per year. However, whilst CPD records are checked during re-accreditation for general members, until advanced re-accreditation is introduced, there are no checks on advanced members. • No proactive checks, such as risked-based or random monitoring visits or spot checks, were apparent. 	
Structured sanctions and disciplinary process	<ul style="list-style-type: none"> • TLS is able deny, suspend or revoke membership, and there are appeal/review mechanisms. TLS has indicated that new annual checks on conduct history are to be introduced. • However, there were no revocations in last 5 years; this raises questions about the effectiveness of the sanctions process and whether the loss of membership is a genuine risk. 	

Scheme: TLS Family Law (general and advanced)		
Targeted, understandable and easily available scheme information for consumers	<ul style="list-style-type: none"> • The majority of information on this scheme is within the professional section of the website '<i>Promoting solicitors</i>' and within scheme guidance for applicants, rather than in consumer-facing publications. • Although not yet launched, TLS has established a consumer-facing '<i>law society approved</i>' website for this scheme. This lets consumers search for members and indicates the kinds of advice members can provide, however it does not outline what consumers can expect or what members need to do to gain membership. • The Panel understands that this site is being tested and a publicity campaign is planned. 	
Clear and accessible consumer complaints and feedback processes	<ul style="list-style-type: none"> • There is a specific complaints process for consumers in relation to scheme members. However, the Panel was unable to find any information for consumers about this process, as it could only be found within documentation aimed at professionals. • No other feedback mechanisms were apparent, although TLS has indicated they are under development. 	
Use of lay input	<ul style="list-style-type: none"> • TLS has indicated that the Technical Panel for this scheme is able to have lay members if the Chief Assessor considers it appropriate. • However, the Panel was unable to find evidence of any lay input. 	
Incorporates consumer needs and views	<ul style="list-style-type: none"> • No evidence was available to indicate that consumer views incorporated. However, TLS has indicated that stakeholder views are sought when considered necessary. • Once further feedback mechanisms are finalised, this may allow feedback to be considered to a greater extent. 	
Scheme effectiveness monitored and periodically reviewed	<ul style="list-style-type: none"> • The scheme is currently being reviewed. • Although there is no regular monitoring process at present, TLS has indicated that this is under development and that the Chief Assessor currently reviews scheme content on an ongoing basis. • There is no overarching testing of whether the scheme delivers higher quality providers. 	

Scheme: TLS Family Law (general and advanced)		
Adequate resourcing	<ul style="list-style-type: none">• This scheme is supported by the Accreditation unit, as well as external assessors.	Not assessed

Scheme: TLS Immigration and Asylum		
	Assessment	Rating
Relevant and transparent entry requirements	<ul style="list-style-type: none"> Information about what applicants need to demonstrate is transparent as TLS publishes the detailed standards that all applicants are expected to meet. This includes technical knowledge and client care. Applicants are assessed by independent 'approved assessment organisations', with the assessment process involving exams, written assessments and mock-client interviews and assessments, depending on the level of accreditation applied for. Data illustrates that applicants can and do fail to gain accreditation 	
Structured re-accreditation	<ul style="list-style-type: none"> Reaccreditation is required for levels 1 and 2, involves similar assessments to initial entry requirements and is undertaken by independent assessor organisations. There is no reaccreditation for level 3, although TLS has indicated this is planned for 2012. In the interim, Level 3 members are not required to undertake reaccreditation at Level 2. 	
Diverse and ongoing competence checks	<ul style="list-style-type: none"> Re-accreditation is the main check on competence for Levels 1 and 2. At present, there are no checks for Level 3. There are no requirements to undertake immigration-related CPD for any level. No proactive checks, such as risked-based or random monitoring visits or spot checks, were apparent. 	
Structured sanctions and disciplinary process	<ul style="list-style-type: none"> TLS is able deny, suspend or revoke membership, and there are appeal/review mechanisms. TLS has indicated that new annual checks on conduct history are to be introduced. However, there were no revocations in last 5 years; this raises questions about the effectiveness of the sanctions process and whether the loss of membership is a genuine risk. 	
Targeted, understandable and easily available scheme information for	<ul style="list-style-type: none"> The only information on this scheme was within the professional section of the website '<i>Promoting solicitors</i>' and scheme guidance for applicants. 	

Scheme: TLS Immigration and Asylum		
consumers	<ul style="list-style-type: none"> The Panel was unable to find any consumer-facing information that explains this scheme or what consumers should expect from accredited individuals. 	
Clear and accessible consumer complaints and feedback processes	<ul style="list-style-type: none"> There is a specific complaints process for consumers in relation to scheme members. However, there is no information available for consumers on this process, which could only be found within documentation aimed at professionals There is an additional complaints process for members with Level 3 accreditation, however again, the only information on this is within documentation aimed at professionals. No other feedback mechanisms were apparent, although TLS has indicated they are under development 	
Use of lay input	<ul style="list-style-type: none"> TLS has indicated that the Technical Panel for this scheme is able to have lay members if the Chief Assessor considers it appropriate. However, the Panel was unable to find evidence of any lay input. 	
Incorporates consumer needs and views	<ul style="list-style-type: none"> No evidence on was available to indicate that consumer views are incorporated. However, TLS has indicated that stakeholder views are sought when considered necessary. Once further feedback mechanisms are finalised, this may allow feedback to be considered to a greater extent. 	
Scheme effectiveness monitored and periodically reviewed	<ul style="list-style-type: none"> The scheme is currently being reviewed. Although there is no regular monitoring process at present, TLS has indicated that this is under development and that the Chief Assessor currently reviews scheme content on an ongoing basis. There is no overarching testing of whether the scheme delivers higher quality providers. 	
Adequate resourcing	<ul style="list-style-type: none"> This scheme is supported by the Accreditation unit, as well as external assessors. 	Not assessed

Scheme: TLS Mental Health		
	Assessment	Rating
Relevant and transparent entry requirements	<ul style="list-style-type: none"> • TLS publishes the technical knowledge, experience and client care expected from applicants. Other requirements include an enhanced CRB check and details of previous cases. • However, although experience and training requirements are set, attendance and volume seem to be the focus rather than demonstrated understanding. • Data illustrates that applicants can and do fail to gain accreditation. 	
Structured re-accreditation	<ul style="list-style-type: none"> • Re-accreditation required every 3 years, and requires details on experience and a further CRB check 	
Diverse and ongoing competence checks	<ul style="list-style-type: none"> • Re-accreditation is the main check on competence. • However, data indicates that there are no failures in reaccreditation; this raises some questions in terms of its effectiveness as a guarantee of competence. • Although re-accreditation seeks information on CPD, there are no set requirements for amount of relevant CPD. • No proactive checks, such as risked-based or random monitoring visits or spot checks, were apparent. 	
Structured sanctions and disciplinary process	<ul style="list-style-type: none"> • TLS is able deny, suspend or revoke membership, and there are appeal/review mechanisms. TLS has indicated that new annual checks on conduct history are to be introduced. • However, there were no revocations in last 5 years; this raises questions about the effectiveness of the sanctions process and whether the loss of membership is a genuine risk. 	
Targeted, understandable and easily available scheme information for consumers	<ul style="list-style-type: none"> • The majority of information on this scheme is within the professional section of the website '<i>Promoting solicitors</i>' and within scheme guidance for applicants, rather than in consumer-facing publications. • Although not yet launched, TLS has established a consumer-facing '<i>law society approved</i>' website for this scheme. This lets consumers search for members and indicates the kinds of advice members can provide, 	

Scheme: TLS Mental Health		
	<p>however it does not outline what consumers can expect or what members need to do to gain membership.</p> <ul style="list-style-type: none"> • The Panel understands that this site is being tested and a publicity campaign is planned. 	
Clear and accessible consumer complaints and feedback processes	<ul style="list-style-type: none"> • There is a specific complaints process for consumers in relation to scheme members. However, the Panel was unable to find any information for consumers about this process, as it could only be found within documentation aimed at professionals. • No other feedback mechanisms were apparent, although TLS has indicated they are under development. 	
Use of lay input	<ul style="list-style-type: none"> • TLS has indicated that the Technical Panel for this scheme is able to have lay members if the Chief Assessor considers it appropriate. • However, the Panel was unable to find evidence of any lay input. 	
Incorporates consumer needs and views	<ul style="list-style-type: none"> • No evidence on was available to indicate that consumer views incorporated. However, TLS has indicated that stakeholder views are sought when considered necessary. • Once further feedback mechanisms are finalised, this may allow feedback to be considered to a greater extent. 	
Scheme effectiveness monitored and periodically reviewed	<ul style="list-style-type: none"> • The scheme is currently being reviewed. • Although there is no regular monitoring process at present, TLS has indicated that this is under development and that the Chief Assessor currently reviews scheme content on an ongoing basis. • There is no overarching testing of whether the scheme delivers higher quality providers. 	
Adequate resourcing	<ul style="list-style-type: none"> • This scheme is supported by the Accreditation unit, as well as external assessors. 	Not assessed

Scheme: TLS Personal Injury		
	Assessment	Rating
Relevant and transparent entry requirements	<ul style="list-style-type: none"> • TLS publishes the experience, knowledge and skills expected from applicants, however much of this is set out at a very general level, such as 'interviewing'. This made it difficult to understand the standard expected within these areas. • Applicants must demonstrate that their firm meets set practice management standards, it must hold Lexcel accreditation or be a member of the Clinical Negligence Accreditation Panel. • Data illustrates that applicants can and do fail to gain accreditation. 	
Structured re-accreditation	<ul style="list-style-type: none"> • Re-accreditation is required every 5 years and includes details of recent cases, CPD record and firm-systems need to be re-certified by a firm partner. Information is also requested from SRA and LeO. 	
Diverse and ongoing competence checks	<ul style="list-style-type: none"> • Re-accreditation is the main check on competence, and data illustrates that applicants can and do fail re-accreditation. • Members are expected to undertake at least 6 hours of personal injury related CPD per year, which is checked as part of re-accreditation. • No proactive checks, such as risk-based or random monitoring visits or spot checks, were apparent. 	
Structured sanctions and disciplinary process	<ul style="list-style-type: none"> • TLS is able deny, suspend or revoke membership, and there are appeal/review mechanisms. TLS has indicated that new annual checks on conduct history are to be introduced. • However, there were no revocations in last 5 years; this raises questions about the effectiveness of the sanctions process and whether the loss of membership is a genuine risk. 	
Targeted, understandable and easily available scheme information for consumers	<ul style="list-style-type: none"> • The majority of information on this scheme is within the professional section of the website '<i>Promoting solicitors</i>' and within scheme guidance for applicants, rather than in consumer-facing publications. • Although not yet launched, TLS has established a consumer-facing '<i>law society approved</i>' website for this scheme. This lets consumers search 	

Scheme: TLS Personal Injury		
	<p>for members and indicates the kinds of advice members can provide, however it does not outline what consumers can expect or what members need to do to gain membership.</p> <ul style="list-style-type: none"> • The Panel understands that this site is being tested and a publicity campaign is planned. 	
Clear and accessible consumer complaints and feedback processes	<ul style="list-style-type: none"> • There is a specific complaints process for consumers in relation to scheme members. However, the Panel was unable to find any information for consumers about this process, as it could only be found within documentation aimed at professionals. • No other feedback mechanisms were apparent, although TLS has indicated they are under development. 	
Use of lay input	<ul style="list-style-type: none"> • TLS has indicated that the Technical Panel for this scheme is able to have lay members if the Chief Assessor considers it appropriate. • However, the Panel was unable to find evidence of any lay input. 	
Incorporates consumer needs and views	<ul style="list-style-type: none"> • No evidence on was available to indicate that consumer views are incorporated. However, TLS has indicated that stakeholder views are sought when considered necessary. • Once further feedback mechanisms are finalised, this may allow feedback to be considered to a greater extent. 	
Scheme effectiveness monitored and periodically reviewed	<ul style="list-style-type: none"> • The scheme is currently being reviewed. • Although there is no regular monitoring process at present, TLS has indicated that this is under development and that the Chief Assessor currently reviews scheme content on an ongoing basis. • There is no overarching testing of whether the scheme delivers higher quality providers. 	
Adequate resourcing	<ul style="list-style-type: none"> • This scheme is supported by the Accreditation unit, as well as external assessors. 	Not assessed