

Best Practice Clinic: System compliance and certification with LAW 9000

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THIS ARTICLE CONTINUES AN OCCASIONAL series about LAW 9000 certification. In the December 2004 and February 2005 Best Practice Clinics I discussed process mapping (that is, working out the way the practice goes about its business) and then writing documents which reflect those processes.

Having identified and documented the processes and reviewed them for compliance with LAW 9000, the next stages are to bridge any gaps in your system and prepare for the certification audit.

Of course, it's important to realise that implementation and certification are two different things. You can have the former without the latter, but not vice versa. A fundamental concept of LAW 9000 (and of ISO on which it is based) is that the true value to the practice comes from implementing, reviewing and improving the system. Certification is the 'icing on the cake' which brings external confirmation, a recognisable logo, and in NSW, LawCover discounts.

Bridging compliance defects

A review of documents and processes against LAW 9000 – a gap analysis – should identify any defects. The practical difficulty is usually remedying these defects in an efficient way, thus adding value, rather than compliance, or ticking the box, for its own sake.

A gap at this stage of the analysis may indicate an element that is not practice-critical. This does not mean that the element can be ignored; rather, it means one or more of the following:

- the element may not have been adequately considered or understood;
- the value that it can provide has not been clarified or defined;
- a creative approach may make it simple and easy to bridge the

gap by slight alteration or supplementation of existing processes.

Implementing new processes if needed

Once you have identified gaps you need to implement these new processes or upgrade the existing ones.

Typically, the sorts of processes that need to be implemented to comply, and which are often not features of standard legal profession management practices, include:

- designing and implementing an internal audit system;
- designing and implementing a corrective action system;
- setting up quality system management, and creating a quality policy;
- designing and implementing quality planning and objectives;
- implementing customer satisfaction monitoring; and
- implementing continual improvement strategies.

LAW 9000 certification

Once the system is set up and running, the practice should be ready to approach the certification process.

In *LSJ*, October 2004 I described the basic framework and costs of LAW 9000 certification.

The initial step towards certification is an application to SAI Global, payment of a fee, and completion of a self-evaluation checklist. The checklist allows SAI to assess the practice's readiness for audit, estimate the likely time needed for the audit and fees. Broadly, SAI will seek assurances that the following elements at least are in place before confirming a date for the formal audit:

- a working set of documentation addressing each element of the standard;
- a working system of internal audits in which most of the practice's processes have been internally reviewed at least once prior to the formal external audit;
- appropriate actions addressing defects discovered during internal audits;
- a working system of corrective and preventive action;
- allocation of staff and a management commitment to the quality system; and
- a customer focus and system of customer/client satisfaction monitoring.

The self-evaluation is sometimes the best tool by which a practice can gauge its own readiness for certification. And, while auditors do *not* expect to find a perfect system, nor one which is set in stone, any major gaps may suggest the audit should be delayed while the system is rectified. I will look at the final stages of preparation and the audit itself in later articles.

Note: this article is based on the LAW 9000 course materials prepared for the

Centre for Best Practice by Realisation.

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