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Best Practice Clinic: Maintaining your management system – management review

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In recent years many of the articles in this column have been about creating management systems for legal practices which could lead to either QL or LAW 9000 certification. The QL scheme was finally phased out earlier this year, so the only legal profession specific certification scheme now available is LAW 9000. The main alternative is ISO – which in any case is contained within LAW 9000.

But by whichever scheme, the fundamental requirements are that a legal practice must:

- work out how it does business;
- create written procedures to reflect what it does; and
- implement and comply with those procedures.

That seems fairly straightforward, but in running training courses to explain how to understand the QL, and now LAW 9000, frameworks, we never minimise the work involved, especially if it falls on a few shoulders. Once those steps are completed, a legal practice can decide whether certification, with the required third-party audit, is part of the game plan. As mentioned in previous articles, the key is implementation, with certification being the icing on the cake.

However, after they get over the major hurdle of implementing a management system, many practices can still stumble in keeping the system in place. This is especially difficult if key personnel leave, particularly those who have been closely involved with the system.

One of the major benefits of certification, which involves regular compliance audits, is that it helps maintain ongoing implementation. One of the fundamental procedures for keeping the management system in place and up to date is a process for management review. LAW 9000 makes this a mandatory requirement, but it is common sense for any management system.

Methods of review

Following are some suggestions for ways in which the system can be reviewed, or

relevant information gathered to assist the review.

- Internal process reviews (audits) conducted, with results assessed by management. A cross-check (inter-departmental if possible) to make sure the practice is following its designated procedures (see Best Practice Clinic, *LSJ*, July 2005).
- Corrective action and preventive action. Dealing with the results of internal audits if they show that there is a breakdown in procedures (see *LSJ*, July 2005).
- Client feedback or satisfaction surveys, or a complaints procedure can identify if there are system problems.
- Likewise, staff satisfaction surveys can include questions on practice procedures, resources, training and so on, and the same issues can also be addressed in performance reviews. Staff are often best placed to identify if there are better ways of doing their job.
- File reviews can help to identify if there are procedures which are no longer relevant, or are not followed because they are problematic in some way.
- If it is practicable, it can help to have a system for improvement initiatives for services, and internal operations. Procedures which were written when the system was created may never have been necessary, or may be over-complicated. If so, it is probably better to delete or simplify them. Sometimes this will be identified during the internal audit.
- The external audit process may also throw up irregularities, non-compliance or redundant procedures.
- Induction and training for new staff, or updates and refreshers on the management system can also be a good opportunity to review how the system works. They may provide an opportunity to look at procedures in a different light to when they were first created.

Timing

The management review can be a free-standing procedure, which takes place at designated intervals. LAW 9000 requires it to take place at least once a year, but every six months is probably more effective.

Another approach is to integrate the review into more regular meetings, for example monthly partner or practice meetings.

This has a number of benefits. First, it keeps the management system front of mind which helps reinforce the practice's commitment to it. Second, if problems are identified they are likely to be fixed more quickly. Third, it makes the review process less onerous because it is dealt with in smaller chunks rather than as a larger project once or twice a year.