

Best Practice Clinic: The making of a good quality management system

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TO PUT RECENT ARTICLES IN THIS COLUMN on the LAW 9000 scheme into perspective, it is worth going back to some fundamental principles and asking 'What makes a good quality management system?'

The question is covered in depth in the College of Law course "Understanding and Implementing LAW 9000", which the College presents in conjunction with SAI Global, and Realisation, two of Australia's leading quality training providers. Here we will look briefly at some of the answers the course provides.

To be manageable and effective, a quality management system that is compliant with LAW 9000 should:

- be easy to manage and involve minimal or no allocation of additional staff; and
- work in tandem with existing initiatives, systems and structures.

LAW 9000 is meant to be flexible. It is not meant to be a straitjacket. Subject to the scenario where a practice wants to use the framework as a change management tool, the best way of implementing LAW 9000 is to adapt its requirements to the way the practice works. So, existing systems, processes, roles, work methods and the general culture should not be thrown out – as long as they are fundamentally satisfactory and fit the practice's strategic intentions. The intention is that the management system will:

- improve the practice's performance;
- generate a culture which is more proactive than reactive in problem solving and process improvement;
- provide additional platforms with which to drive other organisational improvements, including performance, administration and overall management; and

- be capable of self-support, analysis, improvement and self-promotion.

In other words, the system will have built-in procedures which ensure it evolves, changes and improves, as the practice uses it to support its core business. Ideally, the management system should become so anonymous that staff do not think of it as being separate from the day-to-day work of the practice. So, when they follow procedures which conform with LAW 9000, they do so not because they are complying with the framework, but because they are following the practice's way of doing business.

So, it is important that documents and processes focus on and reflect core business operations and functions, *not* the standard. This will provide a more practical and performance-enhancing approach to QA, and not focus exclusively on compliance.

As well, the system must:

- be capable of adaptation in the face of change, for example growth, merger, new practice development, legislative and practice change;
- clearly identify its parameters in relation to what the system covers and what it intends to achieve;
- promote clear information flow, stable processes and systems;
- be conducive to staff knowing what's expected of them; and
- be cost effective.

The benefits

Approaching the system from the perspective of what the practice does and needs, but using LAW 9000 as a model (rather than creating a management system which mirrors the structure of LAW 9000) means that:

- documents and procedures are more likely to match the needs of the practice;
- they are designed to suit the staff, not the auditors or the quality manager;
- they are more likely to be used and followed;
- there is less risk of non-compliance; and
- they are more likely to be improved and amended, and not left on the shelf.

LAW 9000's first principle is to provide a model for a quality legal practice. It dictates that specific plans have to be formulated, specific policies written, and specific processes implemented. It's very important to remember, however, that LAW 9000 is *not* prescriptive. It clearly tells us to 'set up systems' and 'set up controls' with some defined criteria, but it does not define what system, or exactly what method of control.

The best LAW 9000 system is the one that suits your practice, people and business needs, *not* one that is a 'let's design a system which follows the framework' approach.

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