

Background

Austins Solicitors is a sole practitioner firm, based in Chiswick, London. Founded by Sarah Austin, who is also a representative for the Women's Lawyers Division on the Law Society Council, the firm consists of Sarah, as principal, one consultant and two support staff.

Dealing with private clients, Austins Solicitors opened for business in 2004, and specialises in;

- Wills
- Contentious probate
- Trusts
- Property
- Debt collection
- Company
- Family disputes

Finding a strategy to demonstrate quality

Sarah invested in the Lexcel accreditation in 2013. Her primary motivation was to make her firm stand out, (for it is well-known how competitive the London legal market is). She had wanted to pursue an accreditation for some time, and following an annual review of her business, she investigated Lexcel in depth. She subsequently decided that implementing this particular framework was the right step for her and her law firm.

One of the main aspects of Lexcel that attracted Sarah was that as part of both the initial and ongoing procedure, an independent assessor reviews an accredited practice's policies, plans and procedures against the Lexcel requirements. Rather than be intimidated by this, Sarah embraces it, as she believes that any findings the assessor identifies can only help her improve her business and the service she provides to her clients.

Life with Lexcel

Sarah believes one of the biggest advantages Lexcel provides to small firms is the opportunity to review their business on at least an annual basis. It can be difficult for sole-practitioners to find the time to set out both long and short term objectives and strategise how these objectives are to be achieved. Because creating an annual strategic plan is mandatory to maintain Lexcel accreditation, Sarah states, *"You have an opportunity to examine the type of work coming through your door on a regular basis, and then review and change both the types of services your firm offers and the client groups you wish to serve, in order to increase the firm's profitability"*.

Sarah states that when she started life as a junior Solicitor, she was trained, *"not to rely on my memory"*. *"Lexcel requires you to have a procedure in place to regularly review files and document everything, from how specific risks are to be managed to recording key information on a client's file. Lexcel also provides the framework for a firm to create policies and procedures on communicating effectively with clients. For example, to achieve and maintain the accreditation, you must communicate certain things in writing to your clients, such as what you will and will not do when working on a particular matter and the next steps to be taken on a file. This increases client satisfaction, and therefore, the likelihood of generating 'word of mouth' referrals"*.

Lexcel also suggests that firms develop a time-recording method, and an accredited practice must have a clear procedure for billing clients. *"These suggestions and requirements mean my firm has systems in place to ensure all work taken on is charged for appropriately, and therefore*

my invoices will be accurate for both the client and the firm.”

Having trained in a legal aid practice, Sarah fully understood the need for a good file management system that met a standard recognised in England and Wales. She found the Law Society's *Lexcel Assessment Guide* an invaluable resource for directing her on the policies, plans and procedures required to maintain the Lexcel accreditation.

The time commitment

With regards to the time Lexcel policies, plans and procedures take to implement and then keep up to date, Sarah explains, *“Yes, it is a lot of administrative work, but after a year, the Lexcel process just becomes standard, and you do not think twice about performing the tasks required to stay on top of it.”*

A lot of emphasis is put on documentation; however, Sarah insists that smaller firms can use this to their advantage. *“There is a lot of talk in the legal market now about the ‘rush to the bottom’ with the rise of conveyancing factories etc. Sole practitioners must value themselves and their expertise. Having Lexcel provides you with a framework to review your processes and fees and helps practitioners see clearly whether or not they are using their time effectively.”*

Small businesses are always trying to balance keeping up with the day to day workload and setting goals for the future, (*“fighting the alligators whilst draining the swamp”*). Working within a Lexcel framework offers principals the opportunity to review their business and commercial goals regularly.

Sarah states that, *“We all understand best practice, client care, professional duty and file management. Under Lexcel, the emphasis is on recording that understanding. It provides a standard framework for us to continue servicing our clients but more efficiently and therefore profitably.”*

Benefits to the business

Sarah comments that many of the benefits derived from having the Lexcel accreditation for the past three years have been indirect. Happy clients who provide referrals is one of the main advantages, but small firms also need to be aware of the fact that having Lexcel:

- Limits human error, and if a mistake is made on a file, having the correct processes and procedures in place shortens the length of time it takes to spot errors and correct them.
- Provides a framework to develop procedures regarding accepting or declining instructions. These procedures are employed by the support staff in Sarah's firm to screen potential clients and therefore, save fee earners' time.
- Goes some way towards making SRA reviews less onerous, as the Lexcel plans, policies and procedures that are already in place help ensure the reviews are straight-forward and less time-consuming.
- You can use the accreditation to promote your firm in local trade magazines and newspapers, as well as using the Lexcel logo on your firm's website and in marketing material.

She also states that having Lexcel provides an advantage when the firm's PII is calculated as insurance providers will take Lexcel into account when conducting a risk profile and calculating the premium. Legal practices with a Lexcel accreditation can show they have everything documented and correct due diligence has been done on every new client who walks in the door.

With regards to complaints, Sarah comments, *“Lexcel provides law firms with a stronger framework for documenting meetings, phone calls and client actions. Therefore, not only are you less likely to suffer client complaints, if you do receive one, you have a framework in place to review and update procedures following a grievance, which should result in clients being provided with the appropriate redress.”*

Lexcel requires that accredited firms provide a clear explanation of the issues involved and the legal options available, agree an appropriate level of service and explain both the practice's responsibilities as well as the client's when taking on a new matter. This ensures that the opportunity for misunderstandings due to miscommunications between the fee-earner and his or her client are less likely to occur, resulting in happy, highly-satisfied clients.

Resistance to Lexcel from small law firms

Many small firms resist acquiring Lexcel because they do not like the idea of an independent assessor reviewing their files.

In response to this Sarah states, *“The thought of a stranger trawling through your client files would make us all resonate with anticipation. However, I chose to view it as a challenge and an opportunity to improve my firm. To compete, all firms whatever their size, need to adapt and be open to feedback”.*

Being Lexcel accredited has also given Sarah more confidence in herself, both as a businesswoman and a solicitor, and she is convinced that this has played a part in the success of her firm. She also finds operating within the Lexcel framework allows her to plan not only for growth but for quiet periods as well, by providing a structure for updating her business strategy, and a requirement for a contingency plan which means she has arrangements in place to deal with unexpected business interruptions.

“Lexcel is like having a business partner working beside you. Accreditations are the way forward, and Lexcel provides small firms with the confidence to hold themselves out and compete successfully with larger organisations.”

Are you interested in becoming accredited?

Find all the information you need about applying for Lexcel online: www.lawsociety.org.uk/lexcel.
Download the Lexcel Standard for England and Wales, Scheme rules and self-assessment checklist.

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