



Legal Aid  
Agency

# **Supervisor Requirements and Guidance on Effective Supervision**

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# Supervisor Requirements

## Introduction

1. This section provides guidance regarding the requirements that Supervisors must satisfy, and how the Supervisor Standard and Declaration forms should be completed.
2. Accurate Supervisor Standard and Declaration forms must be submitted in respect of each individual who will be acting as a Supervisor under the 2025 Standard Crime Contract.
3. A failure to submit when required: a. a Supervisor Standard and Declaration; or b. the correct Supervisor Standard and Declaration Form in relation to your specific circumstances; or c. an accurately and properly completed Supervisor Standard and Declaration Form Such failures will entitle us terminate your Contract pursuant to Clause 25 of the 2025 Standard Crime Contract Standard Terms..

It is crucial that you are familiar with the contractual Supervisor requirements and understand how to fill in the Supervisor Standard and Declaration forms

4. Under Clause 21.9 of the 2025 Standard Crime Contract Standard Terms, it is your responsibility to notify the Legal Aid Agency (LAA) “within 21 days of any significant changes in your personnel deployed in Contract Work and of any other changes affecting you such as might reasonably be expected significantly to affect your ability to perform Contract Work.” This includes notifying the LAA in the event that a Supervisor ceases to meet the required standard. In addition, the LAA may request up to date Supervisor forms from you at any time during the lifetime of the Contract.

## Supervisor Standards

5. Any Supervisor must at all times during the Contract Period meet the generic requirements for Supervisors. Any individual who does not meet the relevant requirements should **not** be put forward as a Supervisor.
6. The requirements are:
  - a. *Supervision Standards* (see Standard Crime Contract Specification paras 2.15 to 2.18).
7. Supervisor Qualifications:
  - b. *Criminal Investigations and Criminal Proceedings* (see Standard Crime Contract Specification paras 2.19 to 2.20)
  - c. *Prison Law* (see Standard Crime Contract Specification paras 2.21 to 2.23)
  - d. *Appeals and Reviews* (see Standard Crime Contract Specification para 2.24)

8. Providers must have regard to the rules on external supervision. It is only permitted in limited circumstances, where a Supervisor is temporarily absent (see Standard Crime Contract Specification paras 2.25-2.26).
9. The LAA may also exclude individuals from being Supervisors or performing Contract Work as set out at 24.9 of the Standard Crime Contract Standard Terms. No Supervisor Standard and Declaration form should be completed for an individual subject to this sanction.

## **How to Complete the Supervisor Standards and Declaration Forms**

10. There are separate Crime Supervisor Standard and Declaration forms covering:
  - a. Criminal Investigations and Criminal Proceedings
  - b. Appeals and Reviews only work; and
  - c. Prison Law
11. All information recorded must relate to work that falls within the relevant Class of Work.

### ***Section 1 – Organisation and Supervisor Details***

12. We require you to complete the details of the Supervisor and the organisation and office (s) that they supervise.
13. The date that the Supervisor qualified as a Supervisor must be completed. Where a longstanding Supervisor has had a period in their career when they did not qualify, please give the date when they began to meet the standard again.
14. “Legal Aid Account number of office(s) supervised”: This must be provided as we need to know which office(s) they supervise and understand their contribution to Supervision across the organisation.
15. Any office from which Contract Work is delivered will have an account number.
16. For offices from which no legal aid work is conducted, please give the postcode instead in the separate box provided.
17. Please ensure you give the account number or postcode for each office that you wish the Supervisor to cover.
18. You must employ at least one Full Time Equivalent Supervisor. If you have part time Supervisors fulfilling this role, you must complete a separate form for each Supervisor that you have to make up the full-time equivalent hours.

### ***Part Time Supervisors***

19. If you have a Supervisor who is supervising for your firm and another firm, you must state on the form that the Supervisor is employed on a part time basis and complete the number of hours that they work for you each week.
20. You must complete the name of the other provider that they act as a Supervisor for.
21. The other provider must also complete the Crime Supervisor Standard and Declaration Form using the part time sections.
22. The case examples provided for part time Supervisors who supervise for more than one provider, can comprise of cases done from either provider. The examples used can be the same across both declaration forms completed by the different firms.

## ***Section 2 – Generic Supervisor Requirements***

23. In order to qualify as a Supervisor, an individual must have experience or training in supervision. Supervisors should check one or more boxes (as appropriate) to indicate how they meet this requirement.
24. The LAA does not promote or hold an approved list of Supervisor training courses that individuals should attend in order to meet this requirement. It is the responsibility of the individual to decide whether the Supervisor training course is appropriate or not. However, the individual may wish to consider whether the course covers the following key skills:
  - Manage activities to meet requirements.
  - Support the efficient use of resources.
  - Develop your own resources.
  - Create effective working relationships.
  - Develop productive working relationships.
  - Develop teams/individuals to enhance performance.
  - Lead the work of teams/individuals to achieve their objectives.
  - Respond to poor performance in your team.

**NB. This is not an exhaustive list.**

## ***Section 3 - Legal Competence Standard for Supervisors***

25. Where a **portfolio of cases** is required:
26. All files referenced must be ones on which the Supervisor has conducted work in the 12 months prior to the date that the form was signed. For example, if the signature is dated 01.01.2025 the period we are looking at is 01.01.24– 31.12.24.

27. Files do not need to be publicly funded matters but should be available to the LAA for verification purposes.
28. The cases referenced do not have to be closed. They need not wholly relate to the relevant area, but must clearly and substantively demonstrate the knowledge, skill, or procedural expertise that is required so that if the LAA were to check the files it would be evident to an auditor.
29. A Unique File Number (UFN) or Client Name must be entered for each case. Examples must be from different cases but may involve the same client.
30. Files conducted for a previous employer, or another organisation may be included if worked on within the time period specified in the relevant form. However, the Supervisor must include file references of any files from a previous employer they rely on for the form. It is good practice for a Supervisor to update their forms before moving employers.
31. You must complete the offence description for each case that you are using as examples, this should be a description of the offence e.g., murder as opposed to any category or code descriptors that you may use for completing other forms.
32. For each case, the date when the Supervisor last conducted work on it must be entered. The latest date that may be quoted is the date when the file was formally closed.

#### **Section 4 – Crime Case Involvement**

33. The required minimum casework hours for each class of work are set out in the relevant Supervisor Standard and Declaration Form.
34. Different measurement periods apply to Full Time Equivalent (FTE) and Part Time Equivalent Supervisors.
35. All of the time recorded must relate to work that falls within the relevant class of work. Work conducted in other classes may not be counted.
36. Where a Supervisor Standard and Declaration form requires hours to be completed for successive 12-month periods the Supervisor should record the hours completed during each of those 12-month periods, not (for example) the cumulative number of hours across five years.
37. “Hours” of casework mean claimable hours billed to files. Where work is not billable (e.g., training and supervision) the Supervisor should model the number of hours claimed on the “billable hours” approach.
38. Supervisors who have had extended periods of absence for maternity, sickness, or compassionate reasons (continuously for a period of three months or more or for a total of 90 days or more within any period to which the form relates may draw on casework experience from up 24 months prior to the date when the form is completed. For Prison Law, a Supervisor who has experienced an extended period of absence should complete the case involvement hours in the same way as a part time Supervisor.

39. The LAA cannot provide an exhaustive list of individual types of work that would not count as “billable hours,” but the following are provided as illustrative, non-exhaustive, examples of types of work that we would not consider to be work performed for a Client:

- general supervision,
- general file reviews that do not progress the case,
- appraisals,
- billing,
- costs appeals,
- time spent corresponding with the LAA on compliance issues.

40. ‘Advice and Assistance’ is provided under the Legal Aid Sentencing and Punishment of Offenders Act. Advice and Assistance refers specifically to criminal legal aid and does not include private client work.

41. A Supervisor must have undertaken a minimum number of Magistrates Court or Crown Court ‘Representations’. ‘Representation’ (as defined in the 2025 Standard Crime Contract Standard Terms) has the meaning given to it in section 42(1) of the Legal Aid Sentencing and Punishment of Offenders Act. That Act does not limit ‘Representation’ to legal aid work only.

42. “Representation” is defined by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 and relates to the provision of services to individuals. The Supervisor requirements are designed to demonstrate that the individual has the skills and experience to supervise the defence of clients rather than experience of the criminal justice system generally.

43. For every type of work other than personal casework and direct supervision, we state a maximum number of hours that may be counted towards the case involvement standard. Any work in excess of a stated maximum will not be counted towards the Supervisor’s Case Involvement hours.

44. “Direct supervision” means time spent supervising the work of a caseworker. This may involve such activity as regular supervision meetings, dealing with queries on particular cases, and discussing changes to be made as a result of a review of a Caseworker’s files. Please note that this includes supervisory activities as described both in person and via remote ways of working.

45. “File Review” means time spent looking at case files in the category and identifying any issues, corrective action or training needs that may arise. A Supervisor must conduct file reviews for each Caseworker they supervise. The files reviewed should be representative, and must reflect the skills, knowledge, and experience of the individual. The Supervisor must record the outcome of file reviews, together with the details of any corrective action taken.

46. “External training delivery” means time spent on the actual delivery of CPD (Continuing Professional Development) accredited training in the relevant category

of law. The Supervisor should have documentation to confirm the work they have undertaken.

47. “Documented research and the production of publications” excludes time spent on research that is charged to a particular case (which may well count as personal casework). Typically, research will be towards the production of a publication that relates to the relevant category of law. We may request documentary evidence that the research has taken place.
48. “Other supervision” includes any work that requires the exercise of a Supervisor’s legal judgement, but which is not the direct supervision of a Caseworker. Examples include deciding on the allocation of casework, checking the content of outgoing post, or serving as a tribunal chair or magistrate (where this is relevant to the category of law).
49. There is no additional credit for doing hours in excess of the Supervisor requirements. Supervisors who work across several categories of law should bear in mind that an individual delivering 35 claimable hours per week, 46 weeks a year would have an output of 1,610 hours. We may find claims to have conducted very large numbers of hours implausible and require additional information to confirm them.
50. It is very unusual for one individual to be able to meet the Supervisor requirements in more than three categories of law.

## **Section 5 - Declaration**

51. The Supervisor Standard and Declaration form **must** be signed by:
  - The Compliance Officer for Legal Practice (COLP) where the organisation is authorised by Solicitors Regulatory Authority (SRA); or
  - The Head of Legal Practice (HOLP) where the organisation is regulated by the Bar Standards Board (BSB); or
  - The Compliance Manager (CM) where the Chartered Institute of Legal Executives (CILEx) regulate the organisation.
52. Where the organisation is authorised by the SRA, the HOLP, CM or member of Key Personnel should not be used to sign as alternatives to the COLP.
53. If the organisation is not authorised by the SRA, BSB or CILEx, the signatory must be member of Key Personnel who either (i) has decision and / or veto rights over decisions relating to the running of the Applicant; or (ii) has the right to exercise, or actually exercises, significant influence or control over the Applicant.
54. The signatory must confirm that the individual is a continuing employee of the organisation as at the date entered on the form.
55. Failure to complete this section correctly will invalidate the form.

# Guidance on Effective Supervision

## Purpose

The 2025 Standard Crime Contract sets out the supervisory requirements that all providers are required to meet.

Under the 2025 Standard Crime Contract, there are no fixed Supervisor to Designated Fee Earner/Caseworker ratios, therefore it is essential that providers are able to demonstrate that effective supervision is taking place.

The 2025 Standard Crime Contract identifies three key areas that would be used to determine whether or not effective supervision is taking place; these are:

- Accessibility of the Supervisor (2.7 Specification)
- Supervisory Arrangements (2.17 Specification)
- File Reviews conducted by a Supervisor (2.18 Specification)

The purpose of this section of the guidance is to signpost providers to available resources to assist them in meeting their professional and contractual obligations.

This guidance is not intended to introduce supplementary requirements that sit outside the 2025 Crime Contract and no contract issues will arise unless relevant specific terms in the 2025 Contract are breached.

Effective supervision under the 2025 Standard Crime Contract is underpinned by:

- The [effective supervision guidance](#) published by the SRA on a firm's regulatory obligations and how to comply with them; and
- the effective supervision requirements in a provider's Quality Standard – either the [Specialist Quality Mark \(SQM\)](#) or the [Lexcel Standard](#).

Effective supervision is also supported by:

- [The Law Society's practice note on supervision](#) and;
- [The Law Society's guide on good practice for remote supervision of junior staff and trainee solicitors](#)

## Determining Effective Supervision – Supervisor Accessibility

### Paragraph 2.7 of the 2025 Crime Contract Specification

**Supervisors must at all times during their working hours (except as required for the proper performance of their role such as attending court and/or Clients) be accessible to those they supervise.**

#### ***From Key Themes 3 & 4 of the SRA guidance on effective supervision***

##### Key Theme 3 - Conducting supervision

A supervisor should communicate directly with each person they are supervising often enough to make sure that the supervisor:

- has clear oversight of work being done while it is live at all key stages
- is readily available to support the person doing the work
- can provide robust assurance that legal and regulatory requirements are being met.

The supervisor should have some knowledge of each matter being progressed by the person doing the work and/or should monitor a meaningful sample of their work, depending on the risk factors listed in key theme 2 (appropriate supervision arrangements). The supervisor should provide advice or guidance on specific matters (such as non-standard issues) as necessary.

##### Key Theme 4 - Ensuring supervision is effective

Supervision needs to be effective, so merely putting supervision arrangements in place is necessary but not sufficient to fulfil firms' regulatory obligations. Firms should take proactive steps to make sure that supervision is working effectively and supervisors are accountable.

Firms should be able to evidence the supervision arrangements they choose for each area of work, and the risk-based reasons for the approach they have taken. This should include the firm's arrangements for ensuring that supervision is effective in line with key theme 4.

***From 5.9 of the Lexcel Standard for Legal Practice (for providers who hold this Quality Standard)***

5.9 Practices must have a procedure to ensure that all personnel, both permanent and temporary, are actively supervised. Such procedures must include:

- e) the availability of a supervisor

***From D3.1 of the SQM Guidance (for providers who hold this Quality Standard)***

**D3.1 Named category supervisors..... Accessibility.....**Overall, the auditor will want to see that the supervisor is available for sufficient time to be able to demonstrate effective supervision. As accessibility is so significant, if your supervisor is located in another office for most or all of the time (including external supervisors), auditors will pay particular attention to arrangements for effective supervision.

**Determining Effective Supervision – Supervisory Arrangements**

**Paragraph 2.17 of the 2025 Crime Contract Specification**

**Arrangements must be in place to ensure that each Supervisor is able to conduct their role effectively in accordance with the requirements of this Section 2 including, but not limited to, the following:**

- a) designating time to conduct supervision of each Designated Fee Earner or Caseworker; and
- b) ensuring that the level of supervision provided reflects the skills, knowledge and experience of the individual Designated Fee Earner or Caseworker.

***From Key Theme 2 of the SRA guidance on effective supervision***

**Key Theme 2 - Appropriate supervision arrangements**

Legal services providers should use a risk-based approach when deciding on appropriate supervision arrangements, such as who will supervise work, how many people they will supervise, how much of each person's work a supervisor will see, how often they will communicate, and how far supervision will take place face-to-face rather than remotely.

Factors to take into account in making such decisions include:

- the risks involved for clients and others if legal services are defective – for example, whether there is a risk of loss of life or liberty through imprisonment or deportation, or of other serious detriment with limited scope for redress
- the circumstances of clients and whether there are particular vulnerabilities that should be taken into account
- the capacity of the supervisor and the other demands on their time – for example, a supervisor with their own fee-earning caseload will have less time available to supervise the work of others

In deciding how many people are needed to supervise an area of work firms should consider carefully how many people each supervisor will be able to supervise effectively, taking into account the risk factors set out in key theme 2 (appropriate supervision arrangements).

Whether working patterns are remote, hybrid or agile is in itself a factor that firms should take into account when setting their supervision arrangements, as set out in key theme 2 in this guidance.

***From 5.9 of the Lexcel Standard for Legal Practice (for providers who hold this Quality Standard)***

5.9 Practices must have a procedure to ensure that all personnel, both permanent and temporary, are actively supervised. Such procedures must include:

- a) checks on incoming and outgoing correspondence where appropriate
- b) departmental, team and office meetings and communication structures
- c) reviews of matter details in order to ensure good financial controls and the appropriate allocation of workloads
- d) the exercise of devolved powers in publicly funded work
- e) the availability of a supervisor
- f) allocation of new work and reallocation of existing work, if necessary.

***From Section D of the SQM Standard (for providers who hold this Quality Standard)***

D3.4 You must be able to demonstrate that time is designated for supervision and you must be able to justify the number of caseworkers supervised by each supervisor.

D4.1 Processes to ensure that staff are allocated cases according to the role they are required to fulfil and on the basis of their skills, competence and capacity.

D4.2 Effective systems of supervision exist that are tailored to the skills and competence of individual members of staff.

**D4.2 Systems of supervision**

- Arrangements for supervision must be tailored to each member of staff according to their knowledge, skills and experience.
- Supervisors must be able to demonstrate control over the quality of work produced by the staff they supervise, and must demonstrate how they ensure that staff skills and knowledge are being developed continuously through supervision.

## Determining Effective Supervision – File Reviews Conducted by a Supervisor

### Paragraph 2.18 of the 2025 Crime Contract Specification

**Each Supervisor must conduct file reviews for each Designated Fee Earner or Caseworker they supervise. The number of file reviews must reflect the skills, knowledge and experience of the individual. The Supervisor must record the outcome of file reviews, together with the details of corrective action taken (if any).**

#### ***From further guidance and good practice In the SRA guidance on effective supervision***

##### How much work supervisors should check

A supervisor should see enough of the work of those they are supervising to be satisfied that the overall quality of work is satisfactory and the risks relating to the work are being managed appropriately on a day-to-day basis.

In deciding whether a supervisor should have some knowledge of every matter the supervisee is dealing with, or should review a sample of their work, firms should take into account the risk factors set out in key theme 2 (appropriate supervision arrangements). Risk factors that might be particularly important in this context include:

- The risk of client detriment if work is not of suitable quality.
- The inherent risks involved in the work such as the degree of judgement needed.
- The experience and competence of the supervisee – a trainee will need a higher proportion of their work checked than someone with a long track record of doing similar work to a good standard.

Where work is high risk the supervisor might need to have some awareness of every file. Where work is broadly low risk and standardised it might be reasonable for the supervisor to see only a small sample of work. Where a supervisor relies on seeing a sample of work they should make sure the sample includes work that the supervisee does not ask them to look at.

Example: a firm does a large volume of legal aid work carried out by junior staff under supervision. There is a high risk of client detriment if the work is defective. The firm considers that because of the high volume of work, it is not realistic for a supervisor to see every file, so they only check a small sample of the overall work.

Given the risks to clients we would not consider this an effective supervision arrangement. The sample size will not give supervisors enough assurance that

work of every kind by every member of staff is of suitable quality, so the risk of client detriment will not be adequately managed. If a firm's business model is based on junior staff carrying out high risk work the firm should resource its supervision accordingly.

When supervisors should check work

As set out in key theme 3 (conducting supervision) the supervisor should have clear oversight of work being done while it is live, at all key stages. Where work is advisory or transactional, the delivery of the final 'product' might be the only key stage at which the supervisor should see the work. Where work is more complex, the supervisor should have sight of the whole course of a matter, and not just the final delivery of a product or service.

What checks should involve

Where a supervisor checks work, this should include an assessment of:

- The quality of the substantive legal work – is it accurate, and does it meet the client's needs?
- Whether the firm's policies have been followed (eg on sign-off of work).
- Any relevant ethical and regulatory considerations.
- The management of the file.

***From 5.11 of the Lexcel Standard for Legal Practice (for providers who hold this Quality Standard)***

5.11 Practices must have a procedure for regular, independent file reviews of either the management of the file or its substantive legal content, or both. In relation to file reviews, practices must:

- a) define and explain file selection criteria
- b) define and explain the number and frequency of reviews
- c) retain a record of the file review on the matter file and centrally
- d) ensure any corrective action, which is identified in a file review, is acted upon within 28 days and verified
- e) ensure that the designated supervisor reviews and monitors the data generated by file reviews
- f) conduct a review at least annually of the data generated by file reviews.

***From E2.1 of the SQM Standard (for providers who hold this Quality Standard)***

- a) **Numbers, frequency and method** • You must document the number of files to be reviewed and the frequency, and (where other than file content only, e.g. face to face) the method(s) of review, for each casework member of staff (to whom cases have been allocated) and you must be able to justify these to the auditor on the basis of their experience, expertise and on any findings that have implications for the quality of their work (e.g. previous file reviews). Note that norms are suggested in the Guidance document to assist you in developing your file review process. Note also that while review frequency must be justified (as above), it will not ordinarily be possible to justify file reviews that are less frequent than every three months.
- b) **Representative samples** • You must be able to demonstrate that the files selected for review reflect the range of work conducted by each individual over the period of a year. You are likely to have a process to ensure that this happens and may want to document category or case classifications to be covered (see Annex A), alongside the numbers of files to be reviewed and the method to be used (see E2.1(a)), where the individual covers a wide range of work (although it is not a requirement to do so).
- c) **Communicating review findings** • Your procedure must outline how the individual is to become aware that a file has been reviewed, how the review findings (including any corrective action identified) will be communicated, and within what timescales. You may want to have different processes and/or timescales for reviews in which corrective action is identified, as opposed to those where it is not.
- d) **Reviewing corrective action** • Your procedure must set out the process you use to ensure that corrective action has been completed to the satisfaction of the reviewer, and within the timescale agreed (and that the timescale for completion and for review of corrective action can be justified to the auditor in terms of the significance of error, the risk posed to you, the client or a funder, and the urgency required).