

# Audit Information Sheet

## Legal Aid WA



### General Information

The Legal Aid WA (LAWA) Compliance team monitor and assess the practice and case management standards provided by panel practitioners undertaking grant of aid work. This includes conducting audits on files to substantiate payments made by LAWA to firms for legal services, disbursements and the management of the grant. Audits are conducted in accordance with the [LAWA Audit & Compliance Policy](#). **Please refer to the policy for full details.**

LAWA acknowledge most practitioners are already providing exceptional services to clients, in ways that often exceed the practice standards. LAWA are committed to acknowledging examples of high-quality service we see when we audit, through feedback to the practitioners.

The LAWA auditing process also aims to be educative and conducive to working with panel practitioners. This will include the provision of general and specific online and in-person training as required.

### Why you may have been selected for audit

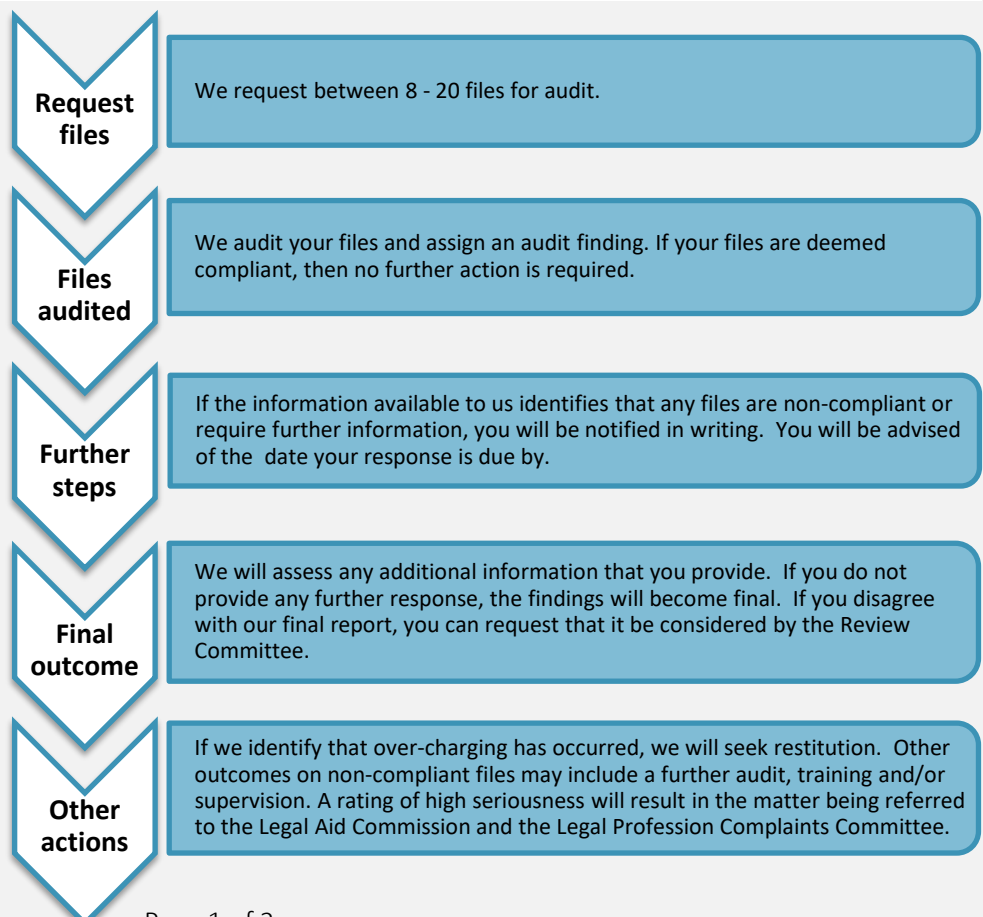
To be on a LAWA panel or list, all practitioners are required to sign a Professional Services Agreement (PSA). By signing the PSA, the practitioner agrees to comply with practice and case management standards in the Private Practitioner Manual (PPM). LAWA uses the Grants Online system for practitioners to submit applications, extensions and claims electronically. A significant amount of information is accepted by LAWA at face value, with the acknowledgement that LAWA can audit a firm or practitioner at any given time.

LAWA also reviews risk factors to select who is audited. This may include payments made to the firm (top fee earners are considered high risk) and factors such as complaints, advice from the judiciary, transfer requests, or previous performance, previous audit findings and new panel practitioners.

### Audit timeframes

The timeframes depend on whether LAWA conducts the audit at the office of the firm or panel practitioner, or if it is conducted by correspondence.

- LAWA will provide 2 weeks notice of an audit to be conducted at the office of the firm or private practitioner, and
- The details of files that have been selected for audit.
- If the firm or panel practitioner has been requested to complete and return information, LAWA will provide a template file review sheet for completion. The firm or panel practitioner must provide the completed review sheets and evidence in support of any claims within a set time frame of 7-28 days, depending on the nature of the audit. Evidence usually includes disbursement receipts, time recording entries, correspondence with the client etc.



## What we focus on during the audit

Checking compliance with the terms of the grant of aid, the [Professional Services Agreement](#) (PSA), the [Private Practitioner Manual](#) (PPM), and the [Guide to Claiming Payment](#) (Payment Guide) are LAWA's primary focus when auditing and conducting audits. Audits will be focussed on:

Substantiating claims for payments made to the firm (in accordance with the PPM, Payment Guide and terms of the grant of aid);

- Compliance with the management of the grant including any briefing or supervision requirements;
- Compliance with professional conduct and standards as outlined in the PSA and PPM;
- Managing the terms of the grant of aid (as outlined in the approval or information emails sent to the assigned practitioner).

## Audit outcomes

While the types of audits may differ, every outcome will result in either a compliant or non-compliant finding. If your file has been assessed as **compliant** with no issues identified, there is no further action required from you within this audit.

The below table demonstrates the matrix used by LAWA to assign the appropriate level of 'seriousness' to non-compliant firms or practitioners.

### Low seriousness

Your files has any combination of:

- Conduct issue/s.
- Compliance issue/s.
- <\$5K overpayments

### Medium seriousness

Your files has any combination of:

- Conduct issue/s.
- Compliance issue/s including enduring inability to comply.
- <\$10k overpayments.
- ≥ 50% non-compliance on audited files.

### High seriousness

Your files has any combination of:

- Conduct issue/s.
  - Compliance issue/s including enduring inability to comply.
  - <\$10k overpayments.
- or
- <\$10k overpayments in combination with conduct and/or compliance issue.
- or
- ≥65% non-compliance on a minimum of 20 audited files in combination with conduct and/or compliance issues.

## Contact us

If you have any questions about an audit of your files, including questions on completing the file review sheets, you are encouraged to speak to the LAWA auditor at the earliest opportunity. You will be provided with their contact details when you are advised of the audit. Further information on LAWA Panels and the practice standards can be found on our [website](#), under for Lawyers > [Practitioner standards and compliance](#).

If you have any general questions about LAWA audits, practice standards or would like further information about the audit process, please contact us at [audit@legalaid.wa.gov.au](mailto:audit@legalaid.wa.gov.au) or phone our auditors directly on (08) 9261 6596 or (08) 9261 6543.