

Risk video bites – Supervision

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As we've already talked about in an earlier video, delegation and supervision go hand in hand.

Having delegated the right work to the right employees you also need to supervise the work they do.

Let me start by saying what supervision is not.

It is not 'Nice to do' if you have time.

There is a general obligation to supervise in rule 37 of the Legal Profession Uniform Law Australian Solicitors' Conduct Rules 2015.

In Rule 37.1 a solicitor with designated responsibility for a matter must exercise reasonable supervision over solicitors and all other employees engaged in the provision of legal services.

The courts also expect practitioners to supervise their staff appropriately. They have said that in order to do so, supervision must be proactive,

An open-door policy alone is not proactive enough. I say this because:

- People don't always know what they don't know and therefore will not know when to walk in that open door
- Others aren't brave enough to own up, when they don't know something – personality clashes often account for this position and some partners can be very intimidating for young practitioners
- The open door is often fictional. People soon learn when the person behind the desk is too busy to take their concerns or questions seriously. We see cases regularly where the clerk is left to deal with a difficult client in reception, because the partner in charge is either too busy, doesn't want to confront the issue or doesn't see it as their responsibility.

Supervision is not about a lack of trust.

It is about fulfilling your obligations under the Uniform Law and it is about developing your staff so they can be better at their jobs.

Supervision done well allows you to properly use your staff and stretch their ability without overwhelming them.

It gives you insight into what further training they might need and whether they are having any problems with particular files or clients.



When all of these things are managed well firms can avoid potential mistakes, claims and unhappy clients.

We have created a list of tips for effective supervision which you can find in the checklist section of our website. I encourage you to look at this list and invest some time in your firm and your staff.