

Quality Mark Standard for Websites

The Advice Services Alliance's response to the
Legal Services Commission's consultation paper

ASA is grateful for the opportunity to respond to this consultation.

We welcome the proposal to have one generic Quality Mark containing management standards. We agree that this is a step in the right direction towards an overall simplification of the Quality Mark system. We also support plans to run the Quality Mark for Websites as a pilot for 12 months in order to allow for change and growth in the area.

We have a few comments on the requirements:

Requirement A3.3

We are in favour of the requirement that sites must meet the W3C requirements and we agree that this will help ensure accessibility.

Requirement B1.3

We do not understand what "bona fide" means in this context and we feel that the guidance does not help to clarify the requirement. The three criteria listed in the guidance will not guarantee that the information that websites provide is correct. Furthermore, there is no guidance given as to how to investigate that an organisation has an accountable management structure. We therefore feel that the requirement will be a burden on the provider that will provide no real benefit for the user.

Requirement B2.1

We are not clear what "accuracy" means in this context. In explanation, the guidance uses the word "relevance". This does not help to clarify the requirement. Does it mean that the provider must check that the links are still working, or that the information at the end of the link is correct, or that the link still contains the information you thought it contained when you decided to link to it? It would be useful if the requirement was more specific.

Requirement B3.11

This requirement is very important. As the guidance states, internet advice is not suitable for all clients. However, we do not agree that there are only two groups for whom it is not suitable; there are likely to be clients who are unable to explain the issue or express their question adequately in writing, even when the matter is relatively straightforward. If an adviser senses that this is the case, they should arrange for a face-to-face appointment.

Furthermore, whilst we agree that certain clients with language issues or mental health problems can be advised with the support of other professionals, we believe that this is not appropriate when the client is being advised over the internet. In this situation, it is our view that the adviser should meet the client and the other professional in order to make a judgement about the relationship between the two and to assess whether the professional is exerting inappropriate influence over the client.

Requirements D7.1 and D7.2

We agree with the requirement that where there are no controls over who can give advice through a site, responses to requests for advice must be checked for accuracy. We agree that the moderator must meet the standard of competency for an adviser.

Requirement E2

It would be useful if the guidance for this requirement contained an extra sentence in the first paragraph highlighting the importance of considering whether internet advice is appropriate for each case being reviewed.

Eg "With reference to the guidance for requirement B3.11, the reviewer should have particular regard to whether email is the appropriate medium for each case."