



Peer Review Scheme:

Information for Participating Organisations

August 2016

Contents

Section 1: Introduction	3
1.1 What is Peer Review?	4
1.2 Principles of the scheme	4
Section 2: What is good debt advice?	5
2.1 Stages of debt advice	5
2.2 Peer Review criteria	6
2.3 Indicators of good advice	7
Section 3: Case recording	8
Section 4: Scheme Process	10
4.1 Client notification	10
4.2 Pre-assessment questionnaire	11
4.3 Sampling of files	13
4.4 Submission of case files	
4.5 Definitions of casework: advice-only	13
4.6 Assessment of the file	14
4.7 Scoring process	15
4.8 Peer Review report	17
4.9 Post Peer Review follow up	18
4.10 Learning and development	19
Appendices	20
Appendix A: Case review criteria	21
Appendix B: Advice-only review criteria	30
Appendix C: Quality framework mapped against the categories in the case review criteria form	36
Appendix D: Quality framework mapped against the categories in the advice-only review criteria form	38
Appendix E: CONC 8 (debt advice) mapped against the categories in the case review criteria form	40
Appendix F: CONC 8 (debt advice) mapped against the categories in the advice-only review form	44
Appendix G: Peer Review report template	47

Section 1: Introduction

The Money Advice Service has statutory responsibility for enhancing the quality of debt advice across the UK, in order to secure the best possible outcomes for clients receiving debt advice.

We are in the process of implementing a framework, which requires organisations delivering advice, and the individual advisers themselves, to adhere to a set of accredited quality standards. The next part of our programme is a peer review scheme, which provides a mechanism for specialist debt advisers to assess the quality of advice provided by their peers. The scheme has been drawn up with input from a range of organisations across the debt advice sector. This document sets out how the scheme, which will begin during Spring 2015, will work.

Under the Scheme, peer reviewers will assess clients' files and judge how well those clients have been advised. They will identify areas where those organisations being reviewed, and the advisers within them, can develop and will support them in exploring actions required to make the changes. The scheme will also highlight areas of good and best practice and share them across the sector.

We are currently commissioning an organisation to administer the Scheme (referred to in this document as the "Peer Review Scheme" Administrator) with who will recruit a pool of assessors to carry out the peer reviews.

The Peer Review Scheme will initially be rolled out with organisations receiving Money Advice Service funding in England and Wales, and rolled out in Scotland and Northern Ireland as new funding agreements are agreed. As these new funding agreements are established, we will review the scheme processes to reflect the local landscape and to complement any new or existing peer review schemes that are in place.

Our aim is to raise quality across the whole sector, not just those projects which the Service funds. It is therefore an aspiration for the scheme to be rolled out to organisations not funded by the Money Advice Service, which hold an accredited standard, and to link to accredited quality standards and membership codes, both in the free-to-client and fee-charging sector. We will talk to other funders and standard owners who operate similar schemes in order to avoid any duplication while still maintaining consistency across the sector. Post reflective analysis will be used to identify trends, common challenges and highlight any areas for the training and qualification sector to consider.

Ahead of scheme expansion to accredited organisations not funded by the Service, anticipated to start during 2016/17, we will engage with each of the national telephone providers that hold a Money Advice Service accredited quality standard in order to seek input into any variation in the process that may be required to maximise the effectiveness of the scheme.

We expect this Scheme, together with the quality frameworks for organisations and individuals, to raise the quality of advice delivery across the sector. This will deliver long term benefits for individual advisers, advice organisations and most importantly for over-indebted people who access advice services.

Document accompanying this scheme:

- Money Advice Service Peer Review Scheme

1.1 What is Peer Review?

Peer review is a form of audit based on a review of a sample of case files which involves the assessment of files using a standard criteria and ratings system to determine the quality of advice given to, and any work carried out for, clients in a particular area of law. Peer reviews are carried out by open-minded, experienced and skilled practitioners in the area of law concerned, in this case debt advice.

The Peer Review Scheme looks at process as well as advice and reviewers will therefore, assess case recording as well as case management issues.

The scheme is principally designed to support and facilitate the development of the sector and to review across all debt advice provided rather than any single funding stream. For organisations funded by the Service, the Scheme will therefore be open to review clients' files across all funding channels and the sample of files reviewed will therefore be invited from across the whole of the debt advice service provided by the organisation. This will enable the scheme to focus on supporting the development of the whole debt advice service and facilitate the improvement of services for all clients'.

1.2 Principles of the scheme

The following principles are incorporated into the Money Advice Service Peer Review Scheme:

- It assesses the quality and effectiveness of debt advice given to, and actions taken on behalf of clients;
- It assesses across a range of debt types and debt strategies;
- It assesses processes including sign-posting/referrals, case recording and case management and the appropriate use of self-help (taking into account the nature of the service offered by the advice-provider) as well as the debt advice given and any other assistance given or offered;
- It is designed as a development tool for debt advice organisations;
- It enables the sharing of best practice through reviewing individual advisers' files and identifying trends and examples of good practice;
- It enables debt advice organisations to demonstrate that their advisers meet the Scheme criteria through an off-site assessment of the case record/file alone;
- It is a transparent scheme, incorporating clear information and guidance to advisers and reviewers;
- It takes account of the Money Advice Service Quality Framework for Individuals and the National Occupational Standards.

It is designed to promote continuous improvement from within the advice sector in line with our statutory role to work with partners to improve the quality and consistency of debt advice. The aim of this work is to increase the quality of advice delivery above the minimum standards set by FCA rules and it will complement the risk-based approach to supervision taken by the FCA.

Section 2: What is good debt advice?

It is recognised that clients visit advice agencies not for the service but the outcome. In the context of debt advice, the desired outcome is to resolve the debt crisis.

However, it is important for advisers to manage client expectations and to be clear about the desired outcomes from receiving advice, which are for the client to:

- have a better understanding of the options open to them;
- know their rights and responsibilities; and
- be able to take action to resolve a problem.

2.1 Stages of debt advice

According to the Child Poverty Action Group's Debt Advice Handbook (10th edition), there are essentially three stages to the debt advice process:

- Exploration;
- Options;
- Action.

These are, in turn, broken down into the following nine steps:

- Step one: explore the debt problem
- Step two: deal with emergencies
- Step three: check that a client is liable for each of her/his debts
- Step four: explore all possible ways of increasing a client's surplus income, particularly by checking that s/he is receiving all the benefits to which s/he is entitled (this step should also involve basic financial capability)
- Step five: draw up a financial statement showing what income a client is receiving, her/his essential expenditure and whether there is any income available to make payments to creditors
- Step six: explore and discuss all available options that are suitable in the client's individual circumstances for resolving the debt problem
- Step seven: negotiate with priority creditors – ie. creditors whose sanctions for non-payment include imprisonment, disconnection of essential services or loss of essential goods or the home
- Step eight: negotiate with the remaining creditors (known as non-priority creditors) with a view to persuading them to accept the agreed strategy
- Step nine: implement the action plan.

Although this list reflects the order in which the steps are taken, in practice, a number of these steps can be carried out alongside each other. The Money Advice Service Peer Review Scheme is based on the steps in the debt advice process noted above.

2.2 Peer Review criteria

The Institute of Advanced Legal Studies produced a guide to common issues identified through peer review of debt cases in their 'Improving your quality' series (3rd edition, August 2010) which will be provided separately to organisations and peer reviewers.

The peer review criteria against which the reviewer will assess case files align with the Money Advice Service Quality Framework for Individuals, which can be accessed here: moneyadvice.service.org.uk/en/static/achieving-consistent-and-high-quality-debt-advice-our-approach-to-quality-for-the-debt-advice-sector

This framework has been mapped against the relevant National Occupational Standards (which can be accessed here: nos.ukces.org.uk/Pages/index.aspx) and identifies the 'activity sets' undertaken during the course of the debt advice process covering:

- initial contact and support;
- general advice;
- specialist advice, casework, representation and supervision.

The Money Advice Service Quality Framework recognises that:

- the activities may not necessarily be carried out in the order in which they are presented;
- some activities may be carried out simultaneously; and
- it may be appropriate for some activities not to be carried out at all.

Therefore, just because activities identified in the Quality Framework have been carried out, this does not necessarily equate to 'good advice':

- activities need to be carried out appropriately both in terms of timing and the client's circumstances;
- activities need to be performed to the appropriate standard; and
- activities need to be effective in enabling the appropriate client outcomes.

The Financial Conduct Authority (FCA) regulates both the credit industry and the debt advice sector and CONC 8 in its Consumer Credit Sourcebook (part of the FCA Handbook) contains guidance on debt advice that is directed to organisations but which individual advisers must also comply with where appropriate. This can be accessed here: fshandbook.info/FS/html/FCA/CONC/8

The peer review criteria are designed to highlight the quality of the:

- information gained from the client and other sources;
- advice given based on that information;
- steps taken following that advice.

2.3 Indicators of good advice

In general terms, indicators of 'good advice' are that:

- it is legally correct;
- it is appropriate to the client's individual circumstances (in other words, the advice is specific to that client as opposed to being generic advice which could be eg. in a leaflet);
- it is comprehensive and deals with other linked issues not just the presenting question;
- it is given in time/at the right time;
- tactics and strategies are employed to achieve the best outcomes for clients;
- any further work is undertaken appropriately, carried out efficiently and is effective in working towards what the client reasonably wanted/needed.

The full set of criteria which will be used to assess the quality of advice given based upon the closed client file for both 'casework' and 'advice-only' are detailed in the appendices to this document.

Section 3: Case recording

Peer reviewers will review complete and closed files. A file is deemed to be a complete record of the case. Subject to the exceptions referred to in the next paragraph, additional documentation will only be considered in exceptional circumstances at the discretion of the reviewer.

The Money Advice Service anticipates that the giving of unrecorded/unexplained standard advice (often in a local context) and the use of an organisation's standard letters without attaching copies to the file may occur. Whilst not best practice nor even good practice, this may lead to an incomplete assessment in the early implementation stages of this peer review scheme. It is therefore anticipated that a transitional period will be included where organisations will be asked to provide peer reviewers with copies of any standard letters they use and to provide details of any standard advice they routinely give but do not incorporate into the file.

Organisations will be encouraged throughout the transitional period to ensure that such advice/letters are included on the case record/file. Following the Scheme launch, a date will be communicated to all participating organisations after which time the Scheme will record any missing standard advice/process as 'not met' during an assessment.

Ultimately inadequate case recording may lead to a file being awarded a low score and so an organisation's case recording needs to be of a high standard so as to ensure that the outcome of the peer review process is a fair reflection of the organisation's quality of debt advice. Robust case recording is key to this scheme.

Advice should be recorded effectively to enable other advisers, supervisors, auditors (including peer reviewers) and clients to understand all the key information about the case. This involves making notes on the case record. These notes should be concise, informative, easy to read and set out in a systematic way.

Individual case records

The case record should provide evidence of effective interviewing, namely:

Clarifying and exploring the presenting problem and any other problems;

Identifying relevant dates and action taken so far;

Exploring the client's situation;

Gathering relevant key information;

Exploring and explaining the client's options;

Identifying where insufficient information has been provided;

Summarising next steps.

The case record should comprise a clear note of all interviews (which may be incorporated into a confirmation of advice letter) and a clear record of all advice given (which again may be incorporated into a confirmation of advice letter).

The case record should include:

- relevant time limits and key dates;
- any sources referred to;
- the advice given (including options discussed);
- any action taken;
- roles and responsibilities and next steps;
- outcome of the case/enquiry.

The case record should clearly set out what advice was given to the client and also the context of the advice given and actions taken i.e how the information provided by the client and other sources was applied to the client's case/enquiry.

It is good practice for advisers to state in their case record the solutions/options offered and the reason(s) the client did not go with a particular solution/option, rather than just recording the option chosen by the client. Where appropriate, the case record should also set out the reason(s) why any advice was not given and/or option offered which would usually be given/offered to a client in a particular situation.

Section 4: Scheme process

4.1 Client notification

The Information Commissioner's Office has confirmed that data protection rules do not require specific consent from clients for their files to be peer reviewed by an external third party. However, it is necessary for organisations to be clear to clients that their files may be used for quality assurance purposes. It should be made clear that should this occur, their personal information will be treated confidentially and will not be shared for any other purpose.

All clients accessing debt advice, whatever the source of funding for the advice, should be informed at the outset of receiving advice, that their records may be used for the monitoring of quality, including peer review and external quality assurance audits eg. when the organisation providing advice is renewing or applying for quality standards. It should be made clear that should this occur, their personal information will be treated confidentially and will not be shared for any other purpose. If a client informs the organisation that they do not wish their information to be shared, their files will be excluded from the peer review assessment.

Peer reviewers will be expected to sign and work to a Scheme code of conduct, including confidentiality of client information, and the quality of any organisation or individual adviser's work.

4.2 Pre-assessment questionnaire

In order to provide the Peer Review Administrator with the data they need to select their sample and to provide all the relevant information to undertake the assessment, an organisational questionnaire will be sent to each participating organisation for completion in advance of the peer review, requesting the following details of their organisational advice profile:

- Number of advisers and proportion of work output each adviser spends on debt advice;
- List(s) of closed (a) casework and (b) 'advice-only' files per named adviser in the previous 12 months;
- Details and policies in the event that the scope of debt advice work is limited within funding streams;
- Whether the organisation undertakes representation and, if so, list of closed files involving representation;
- Proportion of cases that are advice-only;
- Copies of any standard letters used and details of any standard advice routinely given but not incorporated into the file (this is an interim measure whilst organisations are encouraged to adopt best practice of full case recording);
- Screen shots of any drop down menus used;
- Previous case record(s) for any returning clients (where relevant);
- Any specific organisational codes, terminology or abbreviations used.

Organisations will be informed of the name of their peer reviewer prior to files being submitted for assessment. At this point the organisation being assessed can raise any concern or potential conflict of interest with the Peer Review Scheme Administrator and a request that a new assessor is allocated.

4.3 Sampling of files

The following principles will apply for peer review file selection:

- The sample must be selected at random;
- All the files must have been closed within the previous 12 months, with the exception of 'advice only' cases where the sample will be drawn from files where there was no client contact within the previous six months;
- The sample must include examples of both casework and advice-only where appropriate;
- The sample will be drawn from each adviser, proportionate to the percentage of overall debt advice work that they undertake for the organisation.

Sample volume

The Scheme will take the following approach to sampling files:

- The standard sample selected will be 20 files taken at random from a list of closed casework and 'advice only' files (where there has been no client contact within six months). Any linked files or where a client returns for advice previous case record(s) would also be submitted. Fifteen files from the sample will be selected at random for assessment.
- Additional files may be requested if there is an error in the sample provided, for example the file is not a debt-related case.
- Where an organisation has more than 15 advisers, the sample will be increased to include at least one file per adviser.
- It will be necessary for the organisation to produce a list of closed files per named adviser within the previous 12 months from which a selection can be made based upon the proportion of work that they undertake. In addition, where the organisation undertakes representation, this must be included in the sample selected and should be identifiable in the lists produced.

As previously outlined, the approach for national telephone services will be developed in discussion with these providers ahead of scheme expansion.

4.4 Submission of case files

Once the sample of files has been randomly selected, organisations will be asked to submit the selected case files within 21 calendar days for the peer review process to begin. A secure system will be put in place by the Peer Review Scheme Administrator for the transfer of paper files and where case management systems allow for electronic transfer of files, a secure encrypted file sharing process will be outlined to the organisation being reviewed.

Where electronic case records do not capture all the information relating to the case and the criteria being assessed, organisations will be required to provide evidence through alternative means as part of their sample submission eg. screen shots.

4.5 Definitions of casework: advice-only

To enable organisations and the peer reviewers to be clear about which files should be presented for selection, the definitions of 'casework' and 'advice-only' used for this purpose are:

Casework	The advice organisation takes on responsibility for the conduct of a case and an adviser takes action on behalf of the client. The organisation drives and manages the case, generally devolving responsibility to a caseworker(s) who has a continuing relationship with the client. There is no rule about the number of contacts that constitutes casework. Negotiation, advocacy and representation, where appropriate, are common features of casework
Advice-only	Includes diagnosing the client's problem(s), giving information and explaining options and helping the client decide between options. The provision of information alone is not advice. Advice can include some action such as a referral to another organisation, identifying options and next steps, giving assistance such as form filling and contacting third parties for information. There is no rule about the maximum number of contacts.

4.6 Assessment of the file

In summary, the role of the peer reviewer is to assess – from the case file – whether the adviser has demonstrated they have sufficient skills to have dealt with the case effectively.

The fundamental nature of peer review is that it involves the judgement of an experienced practitioner. The peer reviewers will be aware that the next section, 'Guidance on completing case review forms' is not intended to be exhaustive and that they may take other examples of good work or other causes of failures in the work into account. In particular, reviewers will have been instructed that they may use their experience of running their own cases and supervising the cases of others to assess a file. Reviewers will be required to be open-minded and to take account of the varying approaches to debt advice. They will recognise that their way of dealing with cases is not necessarily the only way and alternative approaches may be just as valid.

The peer review process can be described as follows:

To examine the **quality** of the work carried out on behalf of the client, based on the **evidence** contained within the file. The file is assessed against the peer review criteria. Not all criteria are relevant to every file but every relevant criteria is assessed.

'Evidence' = something on the file which points to whether the criterion has been fulfilled or not. There are many areas where particular advice is given as a matter of routine; in these cases, the reviewer will need to see on the file that this routine advice has been given, to be sure that the case has been handled correctly.

'Accurate' and 'appropriate' are commonly used in the criteria. 'Accurate' = factually and legally acceptable. 'Appropriate' = having regard to (i) the circumstances of the case; (ii) the level of information available (which in turn relies on sufficient information having been obtained from the client and recorded in the first place) and (iii) the ethical, practical, tactical and legal considerations.

4.7 Scoring process

The scheme will use a staged non-weighted scoring system. Peer reviewers will assess each file against the individual criteria contained within the peer review case form and will give an individual score to each file. The sample of 15 assessed files per organisation will then be totalled to provide the organisation's overall score.

The principles adopted for the assessment process and scoring system are that they should:

- be transparent;
- be uncomplicated;
- be straightforward;
- be easy for peer reviewers to use and advisers/organisations to understand;
- represent a fair reflection of the quality of advice displayed for each case;
- produce results which can be objectively justified;
- contain clear dividing lines between good, adequate and poor quality of advice.

Stage 1

The first stage of scoring each file will involve the peer reviewer making an assessment against the individual criteria in the peer review case form, and making a decision as to whether the criteria have been: Met, Not Met (this would include where there is no information recorded to enable the peer reviewer to assess the criteria, or where the criteria are partially met) or (see Appendix A and B).

Where the peer reviewer has given a 'Not Met' score, they must explain their reasons why in the 'Comments' section of the report – one example could be that there was no information recorded on file and therefore the criteria could not be assessed.

Stage 2

The second stage involves the peer reviewer assessing the file as a whole. Their expertise will be used to consider the impact of the advice on the client, taking particular account of whether or not the advice has gone beyond the issue raised by the client, based on information that the client has disclosed.

In determining which score to apply, the peer reviewer will consider the impact of any 'missed issues' on the client's situation. Where a client fails to take the appropriate steps, potentially leading to a detrimental outcome, this will not have an impact on the score for the file.

The approach to scoring a case file is linked solely to the perceived level of client detriment. In the context of this Scheme, detriment is defined as: damage, loss or harm to the client.

The scoring categories for the overall assessment (in other words stage 1 and stage 2 combined) will be as follows:

Score	Categorisation
0	The advice given has not progressed the client's situation and/or there has been actual or potential detriment to the client's situation. Detriment in this context means 'damage, loss or harm'.
1	Adequate advice has been given and has progressed the client's situation, but either that advice did not go beyond the presenting issue(s)* and/or there has been a missed issue(s)* A 'missed issue' means something which should have been advised on. Where this has had an actual, or potentially detrimental impact on the client's situation, the file will be scored as zero.
2	The client has been advised fully and correctly and the client's situation has been progressed significantly but more could have been done.
3	The client has been advised comprehensively and correctly and the client's situation has been progressed appropriately and in a timely manner.

*Based upon information collected from the client and recorded

The organisational score

The organisational score will be calculated by adding together the individual scores from the case files reviewed to produce an overall organisation mark out of the maximum of 45 (ie 15 files x maximum score of 3 = 45). This score will also be shown as a percentage for all assessed organisations eg. if an organisation has 30 advisers whose files all score 2 (ie 30 files x score of 2 = 60 (out of a maximum score of 90) represented as a percentage - 67%).

4.8 Peer Review report

Organisation report

Following completion of an organisation's peer review, the reviewer will compile a report which summarises their assessment of the organisation based on the file sample as a whole, including the overall organisational score (see Appendix G). The report will also highlight the number of files that do not meet the benchmark score of 2 (competent). The report will identify the scores for each file assessed and will identify any examples of good practice taken from the individual peer review case forms but also any areas where – in the reviewer's opinion – there are concerns and/or room for improvement. It will contain the appropriate level of explanation to justify the reviewer's assessment of the quality of the organisation's work.

In addition to the report, organisations will receive copies of each of the case review forms to inform feedback to, and the development of, individual advisers. Where appropriate, the action plan to be drawn up between the reviewer and the organisation will include recommendations relating to individual advisers.

The peer review report will be broken down into the following sections:

Overview and score	Confirmation of the number of advisers included within the review, the numbers of casework files and/or advice-only files peer reviewed and the time taken to conduct the review (with dates). Any issues with the files will be recorded here, such as there being insufficient files to make up a full sample or the need to make further random selections in order to make up the full sample. If any file from the original random sample cannot be reviewed then this will be noted in this section.
Positive findings	All examples of good practice or good work noted in the peer review process will be documented. The reviewer will also explain why these particular matters have been highlighted.
Major areas of concern	These are likely to be the main issues that lead the reviewer to score a file as '0' or '1' and which resulted in actual or potential detriment to the client's situation. The reviewer should set out their findings and make reference to the file(s) in question. The organisation should be able to understand why the reviewer considers a particular area not only of concern but of major concern. The organisation will need to implement remedial measures and so the reviewer should also set out what should, in their opinion, have been done.
Areas for development	A file that scores '2' or '3' is unlikely to have any major areas of concern, but, if there are any other issues with the files, then these should be recorded here and reference made to the file(s) in question.
Further comments	This section is for the reviewer to raise any other issues. These are issues which are not of concern but which the reviewer nevertheless feels should be drawn to the organisation's attention, for example, potential administrative efficiencies. These should be expressed in a constructive way with examples of good practice.
Suggested areas for improvement/ action plan	This section is to identify where the organisation needs to take corrective action to improve the quality of its advice work so as to achieve a higher score at peer review and to suggest how this might be done. It is intended to address the areas of concern rather than the areas for development.

4.9 Post Peer Review follow up

Review and planning discussion

Organisations will be contacted to schedule a follow up meeting with their peer reviewer to take forward the development stage of the process. The meeting will be undertaken remotely within 14 days of receipt of the report through the most convenient method eg telephone, skype etc.

The discussion will focus on:

1. A review of each section of the report;
2. Developing and agreeing any appropriate actions and timelines;
3. Any queries relating to scoring, including an opportunity to direct the reviewer to any information submitted that may prompt a review of scoring.

The peer reviewer may revise any of the reports and discuss alternative actions in light of the discussion. A copy of any revised report will be sent to the organisation following the meeting.

Any urgent remedial actions will require action within 28 calendar days, with all remaining actions to take place within 90 calendar days. Organisations will be provided with guidance by the Peer Review Scheme Administrator of the process for reporting against all actions.

Dispute resolution process

It is recognised that there may be situations where the review and planning discussions are unable to advance due to disagreement in relation to the scoring or assessment of one or more files, or any proposed actions.

Should this occur, organisations can contact the Peer Review Scheme Administrator to request a second opinion on the disputed issue. The Peer Review Scheme Administrator will then collect all relevant information and secure a second peer reviewer opinion. The second opinion will be deemed to be final.

The findings of any second opinion will be shared with the reviewed organisation and the original peer reviewer. A second remote meeting will then be arranged to conclude the review and planning stage, taking into account the findings of the second peer reviewer to agree and finalise actions.

Reports

The Money Advice Service will hold records of all assessments undertaken throughout the duration of the Scheme. These will be held confidentially - no peer review reports will be made publicly accessible.

Risk-based approach

Under the scheme, organisations will be reviewed on a three year assessment cycle with the exception of where an organisation has been identified for a follow-up peer Annual review in 12 months.

A follow-up organisation peer review will take place in the event of the following situations:

- An organisation scores 28 or 63% or below;
- An organisation has **any** files scoring 0 within the sample assessed;
- An organisation has 20% or more files scoring 1 within the sample assessed.

Annual reviews will comprise of two possible approaches. Where an organisation's assessment has process dominant findings identified they will have a 'light touch' assessment in 12 months. Where the findings relate predominantly to the quality of advice, a standard assessment will be undertaken in 12 months.

4.10 Learning and development

Analysis of peer review learning

The Peer Review Scheme Administrator will conduct an analysis and provide an anonymised peer review report highlighting trends, common challenges and good practice twice yearly. A copy of this report will be published and will identify any geography-specific points.

The Scheme as a whole will be evaluated following 12 months of its implementation and will include input from delivery organisations, advisers and peer reviewers. Subsequent to that, the Scheme will be reviewed as appropriate to improve its effectiveness and efficiency.

Development activity

The Money Advice Service will implement a range of initiatives on the basis of initial outcomes and findings from the Scheme. These initiatives will be designed to share best practice, drive improvements and overcome common challenges faced by advice providers.

Appendices

Appendix A: Case review criteria

Peer review scheme – Case review form (Casework only)		
	Met, Not Met, N/A	Reviewer's Comments
1 Preliminary		
1.1 Whether client is new or returning client established (mandatory)		
1.2 Reason for the contact (mandatory)		
1.3 Where new, client registered with the service as appropriate; where returning, identity and data protection checks carried out (mandatory)		
1.4 The process of providing authority to act on behalf of the client explained and form of authority completed (as appropriate)		
Where client is new only (unless any changes since previous contact(s)):		
1.5 Common Initial Assessment undertaken (where implemented)		
1.6 Personal and background details gathered including immigration status, housing tenure, employment status, dependants and non-dependants, health or disability issues and evidence obtained as required in accordance with internal policies and procedures e.g. power of attorney (mandatory)		
1.7 Check for potential conflict(s) of interest carried out (mandatory)		
1.8 Equalities monitoring carried out (mandatory)		
1.9 Confidentiality and data protection arrangements explained and any necessary form(s) completed (mandatory)		
1.10 Client's required level of support e.g. accessibility and communication needs, health established (mandatory)		
1.11 Boundaries and role of organisation explained including how it can help the client (mandatory)		

Peer review scheme – Case review form (Casework only)		
	Met, Not Met, N/A	Reviewer's Comments
2 Explore the debt problem		
2.1 All relevant aspects of the case fully explored, relevant key information gathered (background, key facts, action(s) taken so far by client and other party) and issues clarified		
2.2 Presenting issue identified		
2.3 Any secondary issues advised on identified e.g. issues identified by the adviser which the client did not ask for advice about		
2.4 Any common court forms referred to accurately identified		
2.5 Where client has personal and business debts, these are correctly identified and distinguished		
2.6 Where client is returning client, progress/developments since last contact reviewed		
2.7 Reason(s) for financial difficulties/whether temporary established		
2.8 What client wants to achieve identified		
2.9 Key dates and time limits identified		
2.10 Client's capacity, capability and any health issues, disability, vulnerability or mental health problems explored		
2.11.1 Any known or foreseeable changes to the client's circumstances identified		
2.11.2 Any future issues or problems identified e.g. any barriers to exercising rights or meeting commitments and liabilities		
2.12 Where insufficient information provided to enable diagnosis of the problem, the further information required identified and client advised/assisted to obtain		
3 Deal with urgent issues		
3.1 Explored and identified whether client facing an emergency		
3.2 Need for urgent action identified, including to meet time limits		
3.3 Appropriate action taken (including assistance with completing court forms, sign-posting, referral)		

Peer review scheme – Case review form (Casework only)		
	Met, Not Met, N/A	Reviewer's Comments
4 Check liability		
4.1 Possible unenforceable debts, other possible defences or other possible challenges to creditor action for all or part of a debt identified		
4.2 Any potential remedies associated with particular problems correctly identified		
4.3 Where insufficient information available, the further information required identified		
4.4 Appropriate use made of second tier advice and/or other specialist advisers/sources of advice		
5 Maximise income (inc. financial capability)		
5.1 Client's income and expenditure verified appropriately		
5.2 Benefit/tax credit/tax code check carried out		
5.3 Possible charity payments, grants and other one-off payments identified		
5.4 Any realisable assets identified		
5.5.1 Particularly high or low expenditure areas and the absence of any obvious items of essential expenditure investigated		
5.5.2 Realistic allowances made for any exceptional or variable expenditure not budgeted for		
5.6 Appropriate advice given in relation to opening new bank account		
5.7 Appropriate financial capability interventions identified, particularly around budgeting, cash-flow, shopping around, comparison sites, essential and non-essential expenditure and methods of money management		
6 Financial statement		
6.1 Relevant information about client's financial situation obtained to complete Income/Expenditure statement		
6.2 Variable income averaged in a realistic and reasonable way		
6.3 Any controversial or exceptional expenditure explained		
6.4 Appropriate use made of standard expenditure figures or guidelines to ensure Financial Statement accurately reflects client's individual circumstances		
6.5 Where the Common Financial Statement or an equivalent used, the financial statement drawn up in accordance with current guidelines		
6.6 Where the Common Financial Statement or equivalent not used, format is uniform and logically structured so as to encourage consistent responses from lenders and reduce queries and delays		
(Note: Peer reviewer's case review report should recommend that the organisation adopts the Standard Income and Expenditure tool)		

Peer review scheme – Case review form (Casework only)		
	Met, Not Met, N/A	Reviewer's Comments
7 Explore options		
7.1 Research undertaken on relevant issues, appropriate sources used and sufficiently complete		
7.2 Value and treatment of any client assets taken into account, where relevant e.g. insolvency options		
7.3 Where client's income variable e.g. seasonal work, the impact of this on any particular debt solution taken into account		
7.4 Advice is:		
i accurate and legally correct		
ii comprehensive		
iii given in time/at the right time		
iv appropriate to client's individual situation and not confined to generic debt advice with no, or no sufficient, reference to the client's particular circumstances		
7.5 Client's rights and responsibilities/obligations explained in relation to the problems raised and options identified		
7.6 Relevant options considered and explained clearly, fairly and not in a misleading way e.g. incomplete or not impartially so client can make an informed choice and for each option:		
i advantages/disadvantages		
ii actual or potential consequences/implications, including the impact of debt remedies on credit reference files and banking		
iii any eligibility criteria		
iv debts covered by that option		
v any costs involved		
vi likelihood of acceptance		
vii any risks associated with that option, including of adverse costs orders in relation to court action		
7.7 Appropriate and sufficient information provided to client:		
i overview of the county court claim process provided, where appropriate		
ii information explained clearly and accurately in a straightforward way		
iii appropriate written information/resources provided e.g. confirmation of advice letter summarising the problem(s), issue(s) discussed, advice and next steps written in language the client can understand, avoiding jargon and technical terms (unless explained)		

Peer review scheme – Case review form (Casework only)		
	Met, Not Met, N/A	Reviewer's Comments
8 Priority creditors		
8.1 Debt correctly identified as a priority debt, taking appropriate account of client's personal circumstances when assessing what goods and services are essential		
8.2 Status of priority debts established e.g. any enforcement action		
8.3 Advice given appropriate to the level of priority of the problem		
8.4 Financial statement used appropriately to make repayment offers		
8.5 Repayment offer realistic and sustainable, with adequate provision made for on-going priority expenditure		
8.6 Any possible challenges used appropriately to reinforce negotiating stance		
8.7 Any communication with creditors is transparent and does not adversely affect client's interests		
9 Other creditors		
9.1 Any available income for paying non-priority creditors accurately assessed, enabling any offers to be maintained		
9.2.1 Repayment offer realistic and sustainable and takes account of payments to priority creditors and, unless justified otherwise, made on a pro rata basis		
9.2.2 Anticipated repayment date(s) of priority debt(s) taken into account in assessing potential future available income		
9.3 Payment methods and commencement dates also noted		
9.4 Creditors asked to agree to freeze/reduce interest/charges, as appropriate		
9.5 Any possible challenges used appropriately to reinforce negotiating stance		
9.6 Any communication with creditors is transparent and does not adversely affect client's interests		
9.7 Where appropriate, client told to let adviser know about any relevant change of circumstances		

Peer review scheme – Case review form (Casework only)		
	Met, Not Met, N/A	Reviewer's Comments
10 Implement action plan (inc. sign-posting, referral and self-help)		
10.1 Appropriate strategy/strategies identified for dealing with the various debts presented by client		
10.2 Roles and responsibilities of adviser and client respectively are agreed		
10.3 Sufficient information provided on next steps, who is responsible for taking them and when and any follow up work		
10.4 Different debt payment methods explained		
10.5 Quality and appropriateness of any help given to client e.g. casework, negotiation, representation		
10.6 Appropriate communication methods adopted with creditors		
10.7 Any communication with creditors is transparent and does not adversely affect client's interests		
10.8 Any standard letters used are edited as necessary to ensure their contents are relevant to client		
10.9 Where no work carried out, whether this was appropriate (having regard to any limitations on, and the role of, the advice service)		
10.10 Where client is advised on self-help, the role has been explained, what actions to take, the actions are clear and easy for client to follow, how to take action and by when		
10.11 Where adviser/agency unable to assist in an emergency and/or provide appropriate advice or an appropriate debt solution, client was referred appropriately, including where client needs advice on non-debt matters		
10.12 Where client lives in a different nation within the UK (ie England, Wales, Scotland or Northern Ireland), client was sign-posted/ referred for information on the range of debt solutions in that nation		
10.13 Sign-posting information provided appropriately		
10.14 Appropriate financial capability support provided		

Peer review scheme – Case review form (Casework only)		
	Met, Not Met, N/A	Reviewer's Comments
<p>11 Case recording and case management</p> <p>11.1 Case record shows:</p> <ul style="list-style-type: none"> i. information was given to client about the nature of the service and the assistance available ii. the presenting and any other problem(s) and client's situation were explored and clarified iii. other relevant key information was obtained, including action taken so far and, where insufficient information was provided, this was identified iv. any relevant time limits and key dates were identified v. adequate information sources referred to vi. relevant documentation obtained vii. client's options were explored and explained, including the advice given to client viii. where client was advised to make no payments or reduced payments to their creditor(s), including cancelling any payment method(s), client was warned about potential consequences ix. summary of actions to be taken, by whom, next steps and any follow up work x. progress easy to follow xi. client kept informed and copied in as appropriate xii. diary brought forward system used xiii. outcome(s) of enquiry xiv. where appropriate, client told to let adviser know about any relevant change of circumstances xv. where appropriate, client's need for more skilled advice/ assistance is identified, e.g. enquiry is either beyond scope of agency, adviser does not have sufficient knowledge and/or experience to advise about or adviser cannot advise, such as, for practical, ethical or legal reasons <p>11.2 Where negotiations conducted verbally, these are confirmed in writing e.g. by email</p> <p>11.3 Copies of any relevant documents made and kept with case record</p> <p>11.4 Any sign-posting/referral appropriate and effective</p> <p>11.5 No appropriate sign-posting/referral opportunity missed</p> <p>11.6 As part of any sign-posting/referral, client was made aware of any costs/help with costs</p> <p>11.7 Client informed where no further action to be taken by agency e.g. case closed</p>		

Peer review scheme – Case review form (Casework only)		
	Met, Not Met, N/A	Reviewer's Comments
12 Impact on client 12.1 Positive case outcomes 12.2 Negative case outcomes 12.3 Outcomes awaited/not known/notified 12.4 Any work carried out effective in moving client towards what they reasonably wanted/needed 12.5 Impact of missed issues	This category is not assessed as such but is taken into account in Stage 2 (the overall file assessment)	
Reviewer's comments:		
Good practice points:		

Money Advice Service Peer Review Scheme Case Review Recording Template (Casework only)		
Name of Reviewer:		
Date of Review:		
Name of Organisation:		
Name of Adviser:		
File open date:		File closed date:
	Met, Not Met, N/A	Reviewer's Comments
1. Preliminary		
2. Explore the debt problem		
3. Deal with urgent issues		
4. Check liability		
5. Maximise income (inc. financial capability)		
6. Financial statement		
7. Explore options		
8. Priority creditors		
9. Other creditors		
10. Implement action plan (inc. sign-posting, referral and self-help)		
11. Case recording and case management		
12. Impact on client		
Reviewer's general comments		
Good practice points		
File score		

Appendix B: Advice-only review criteria

Case review form (Advice only)

The following is the case review form (advice only) which is essentially a check-list and will be supported by a separate guidance document for peer reviewers.

Peer review scheme – Case review form (Advice-only)		
	Met, Not Met, N/A	Reviewer's Comments
1 Preliminary		
1.1 Whether client is new or returning client established (mandatory)		
1.2 Reason for the contact (mandatory)		
1.3 Where new, client registered with the service as appropriate; where returning, identity and data protection checks carried out (mandatory)		
1.4 The process of providing authority to act on behalf of the client explained and form of authority completed (As appropriate)		
Where client is new only (unless any changes since previous contact(s)):		
1.5 Common Initial Assessment undertaken (where implemented)		
1.6 Personal and background details gathered including immigration status, housing tenure, employment status, dependants and non-dependants, health or disability issues and evidence obtained as required in accordance with internal policies and procedures e.g. power of attorney (mandatory)		
1.7 Check for potential conflict(s) of interest carried out (mandatory)		
1.8 Equalities monitoring carried out (mandatory)		
1.9 Confidentiality and data protection arrangements explained and any necessary form(s) completed (mandatory)		
1.10 Client's required level of support e.g. accessibility and communication needs, health established (mandatory)		
1.11 Boundaries and role of organisation explained including how it can help the client (mandatory)		

Peer review scheme – Case review form (Advice-only)		
	Met, Not Met, N/A	Reviewer's Comments
2 Explore the debt problem		
2.1 Explored and identified whether client facing an emergency		
2.2 Need for urgent action identified, including to meet time limits		
2.3 All relevant aspects of the case fully explored, relevant key information gathered (background, key facts, actions(s) taken so far by client other party) and issues clarified		
2.4 Presenting issue identified		
2.5 Any secondary issues advised on identified eg. issues identified by the adviser which the client did not ask for advice about		
2.6 Any common court forms referred to accurately identified		
2.7 Where client has personal and business debts, these are correctly identified and distinguished		
2.8 Priority debt(s) correctly identified taking appropriate account of client's personal circumstances when assessing what goods and services are essential		
2.9 Possible unenforceable debts, other possible defences or other possible challenges to creditor action for all or part of a debt identified		
2.10 Where client is returning client, progress/developments since last contact reviewed		
2.11 Reason(s) for financial difficulties/whether temporary established		
2.12 What client wants to achieve identified		
2.13 Key dates and time limits identified		
2.14 Client's capacity, capability and any health issues, disability, vulnerability or mental health problems explored		
2.15 Future issues or problems identified eg. any barriers to exercising rights or meeting commitments and liabilities		
2.16 Where insufficient information provided to enable diagnosis of the problem, the further information required identified		

Peer review scheme – Case review form (Advice-only)		
	Met, Not Met, N/A	Reviewer's Comments
3 Explore options		
3.1 Research undertaken on relevant issues, appropriate sources used and sufficiently complete		
3.2 Where appropriate, advice given on maximising income		
3.3 Appropriate financial capability interventions identified		
3.4 Appropriate advice given in relation to opening a new bank account		
3.5 Where appropriate, relevant information about client's financial situation obtained to complete Income/Expenditure statement		
3.6 Where appropriate, any financial statement using the Common Financial Statement or an equivalent is drawn up in accordance with current guidelines or, otherwise, format is uniform and logically structured so as to encourage consistent responses from lenders and reduce queries and delays (Note: Peer reviewer's Case review report should recommend that the organisation adopts the Common Financial Statement or equivalent)		
3.7 Where appropriate, status of priority debts established e.g. any enforcement action, offers to priority creditors are realistic and sustainable with adequate provision made for on-going priority expenditure and any available income for paying non-priority creditors accurately assessed, taking account of payments to priority creditors and anticipated repayment date(s) of priority debt(s) in the assessment of potential future available income		
3.8 Value, and treatment of any client assets taken into account, where relevant e.g. insolvency options		
3.9 Where client's income variable e.g. seasonal work, the impact of this on any particular debt solution taken into account		
3.10 Advice is		
i accurate and legally correct		
ii comprehensive		
iii given in time/at the right time		
iv appropriate to the client's individual situation and not confined to generic debt advice with no, or no sufficient, reference to the client's particular circumstances		
v appropriate to the level of priority of the problem		
3.11 Client's rights and responsibilities/obligations explained in relation to the problems raised and options identified		
3.12 Relevant options considered and explained clearly, fairly and not in a misleading way e.g. incomplete or not impartially and explained so client can make an informed choice and including for each option:		
i advantages/disadvantages		
ii actual or potential consequences/implications		
iii any eligibility criteria		

Peer review scheme – Case review form (Advice-only)		
	Met, Not Met, N/A	Reviewer's Comments
iv		
v		
vi		
vii		
3.13		
i.		
ii.		
iii.		
3.14		
4		
Action plan/Next steps		
4.1		
4.2		
4.3		
4.4		
4.5		
4.6		
4.7		
4.8		
4.9		
4.10		
4.11		
4.12		

Peer review scheme – Case review form (Advice-only)		
	Met, Not Met, N/A	Reviewer's Comments
<p>5 Case recording</p> <p>5.1 Case records shows:</p> <ul style="list-style-type: none"> i information was given to client about the nature of the service and the assistance available ii the presenting and any other problem(s) and client's situation were explored iii other relevant key information was obtained, including action taken so far and, where insufficient information was provided, this was identified iv any relevant time limits and key dates were identified v adequate information sources referred to vi where appropriate, relevant documentation obtained vii client's options were explored and explained, including the advice given to client viii where client was advised to make no payments or reduced payments to their creditor(s), including cancelling any payment method(s), client was warned about potential consequences including advice about asking creditor(s) to freeze/reduce interest/charges ix summary of actions to be taken, by whom, next steps and any follow up work x progress easy to follow xi outcome(s) of enquiry (where known) xii where appropriate, client's need for more skilled advice/ assistance eg. enquiry is either beyond scope of agency or which adviser does not have sufficient knowledge and/or experience to advise about or when cannot advise eg. for practical, ethical or legal reasons <p>6 Impact on client</p> <ul style="list-style-type: none"> 6.1 Positive case outcomes 6.2 Negative case outcomes 6.3 Outcomes awaited/not known/notified 6.4 Impact of missed issues 		
Reviewer's comments:		
Good practice points:		

Money Advice Service Peer Review Scheme Case Review Recording Template (Advice - only)		
Name of Reviewer:		
Date of Review:		
Name of Organisation:		
Name of Adviser:		
File open date:		File closed date:
	Met, Not Met, N/A	Reviewer's Comments
1. Preliminary		
2. Explore the debt problem		
3. Explore options		
4. Action plan/Next steps		
5. Case recording		
6. Impact on client		
Reviewer's general comments		
Good practice points		
File score		

Appendix C: Quality framework mapped against the categories in the case review criteria

Money Advice Service Quality Framework mapped against the categories in the Casework review criteria form

The following table contains the paragraph numbers of the various activities set out in Appendices 2 – 4 of the Money Advice Service Framework document together with either the corresponding categories of the template or an explanation of there being no corresponding category.

Visit moneyadvice.service.org.uk/en/static/achieving-consistent-and-high-quality-debt-advice-our-approach-to-quality-for-the-debt-advice-sector

Quality Framework paragraph number	Case Review Form Categories (casework only)
1.1	1 (Preliminary)
1.2	7 (Explore options), 10 (Implement action plan)
1.3	1 (Preliminary)
1.4	1 (Preliminary), 11 (Case recording/management)
1.5	1 (Preliminary), 2 (Explore the debt problem) where client is returning client
1.6	11 (Case recording/management)
1.7	2 (Explore the debt problem), 3 (Deal with urgent issues)
1.8	2 (Explore the debt problem), 10 (Implement action plan), 11 (Case recording/management)
1.9	2 (Explore the debt problem)
1.10	7 (Explore options), 10 (Implement action plan), 11 (Case recording/management)
1.11	10 (Implement action plan), 11 (Case recording/management)
1.12	10 (Implement action plan), 11 (Case recording/management)
1.13	2 (Explore the debt problem)
1.14	1 (Preliminary), 11 (Case recording/management).
1.15	Assess whether advice reflects up-to-date legislation
1.16 and 1.18	Not applicable
1.17	10 (Implement action plan), 11 (Case recording/management)
2.1	Not applicable
2.2	7 (Explore options), 10 (Implement plan)
2.3	2 (Explore the debt problem)
2.4	Not applicable
2.5	2 (Explore the debt problem)

Quality Framework paragraph number	Case Review Form Categories (casework only)
2.6	2 (Explore the debt problem)
2.7	2 (Explore the debt problem), 4 (Check liability)
2.8	5 (Maximise income)
2.9	2 (Explore the debt problem), 8 (Priority creditors)
2.10	3 (Deal with urgent issues)
2.11	5 (Maximise income), 6 (Financial statement)
2.12	5 (Maximise income)
2.13	10 (Implement action plan)
2.14	10 (Implement action plan)
2.15	7 (Explore options), 10 (Implement action plan), 11 (Case recording/management)
2.16	2 (Explore the debt problem), 7 (Explore options)
2.17	11 (Case recording/management)
2.18	10 (Implement action plan)
2.19	Not applicable
2.20	Not applicable
2.21	10 (Implement action plan)
2.22	Not applicable
2.23	Not applicable
2.24	10 (Implement action plan), 11 (Case recording/management). See Note to para 1.17
3.1	Not applicable
3.2	7 (Explore options), 10 (Implement plan) and see Note to para 1.2
3.3	11 (Case recording/management)
3.4	10 (Implement action plan)
3.5	10 (Implement action plan)
3.6	10 (Implement action plan)
3.7	10 (Implement action plan)
3.8 – 3.14	Not applicable
3.15	10 (Implement action plan), 11 (Case recording/management).

Appendix D: Quality framework mapped against the categories in the advice-only review criteria

Money Advice Service Quality Framework mapped against the categories in the Advice-only review criteria form

The following table contains the paragraph numbers of the various activities set out in Appendices 2 -3 of the Money Advice Service Quality Framework document together with either the corresponding categories of the review form or an explanation of there being no corresponding category.

Visit moneyadvice.service.org.uk/en/static/achieving-consistent-and-high-quality-debt-advice-our-approach-to-quality-for-the-debt-advice-sector

Quality Framework paragraph number	Case Review Form Categories (Advice-only)
1.1	1 (Preliminary)
1.2	3 (Explore options), 4 (Action plan/Next steps)
1.3	1 (Preliminary)
1.4	1 (Preliminary), 5 (Case recording)
1.5	1 (Preliminary), 2 (Explore the debt problem) where client is returning client
1.6	5 (Case recording)
1.7	2 (Explore the debt problem)
1.8	2 (Explore the debt problem), 4 (Action plan/Next steps)
1.9	2 (Explore the debt problem)
1.10	3 (Explore options), 4 (Action plan/Next steps), 5 (Case recording)
1.11	4 (Action plan/Next steps), 5 (Case recording)
1.12	4 (Action plan/Next steps)
1.13	2 (Exploring the debt problem)
1.14	1 (Preliminary), 5 (Case recording)
1.15	Assess whether advice reflects up-to-date legislation etc
1.16 and 1.18	Not applicable
1.17	4 (Action plan/Next steps), 5 (Case recording)
2.1	Not applicable
2.2	3 (Explore options), 4 (Action plan/Next steps)
2.3	2 (Explore the debt problem)
2.4	Not applicable
2.5	2 (Explore the debt problem)

Quality Framework paragraph number	Case Review Form Categories (Advice-only)
2.6	2 (Explore the debt problem)
2.7	2 (Explore the debt problem)
2.8	3 (Explore options)
2.9	2 (Explore the debt problem)
2.10	3 (Explore options), 4 (Action plan/Next steps)
2.11	3 (Explore options)
2.12	3 (Explore options)
2.13	4 (Action plan/Next steps)
2.14	4 (Action plan/Next steps)
2.15	3 (Explore options), 4 (Action plan/Next steps), 5 (Case recording)
2.16	2 (Explore the debt problem), 3 (Explore options)
2.17	5 (Case recording)
2.18	4 (Action plan/Next steps)
2.19	Not applicable
2.20	Not applicable
2.21	Not applicable
2.22	Not applicable
2.23	Assess whether advice reflects up-to-date legislation etc
2.24	4 (Action plan/Next steps), 5 (Case recording)

Appendix E: CONC 8 (debt advice) mapped against the categories in the case review criteria form

Mapping CONC 8 (Debt Advice) against Case Review Criteria (not for advice-only) categories

The table below summarises the relevant section under the FCA's guidance where the peer review scheme will identify and support continuous improvement for advice delivery above the minimum standards set by FCA. References to paragraphs containing an R are references to Rules and references to paragraphs containing a G are references to Guidance.

CONC 8 paragraph number(s)	Summary of FCA's requirements/guidance	Peer review category
8.2.2G(1)	A firm should ensure that appropriate advice is given to clients who live in the different countries of the UK and that regard is had to the different debt solutions available to those clients and the differences in enforcement actions and procedures.	7 (Explore options)
8.2.5R	Firm's communications to lenders or their representatives must be transparent so that client's interests are not adversely affected.	8 (Priority creditors), 9 (Other creditors),10 (Implement action plan)
8.2.7R 8.2.8G	Firms must have policies and procedures in place to identify particularly vulnerable customers and deal with them appropriately. Clients with mental health and mental capacity issues may fall into this category.	2 (Explore the debt problem)
8.3.2R	Firms must ensure that: <ul style="list-style-type: none"> ■ All advice given and action taken <ul style="list-style-type: none"> ■ Has regards to the client's best interests ■ Is appropriate to the client's individual circumstances which include eg. the client's financial position, the country in the UK to whose laws and procedures the client and lender in question are subject and the client's level of understanding (see CONC 8.3.3G) and ■ Is based on a sufficiently full assessment of the client's financial circumstances ■ Clients receive sufficient information about the available options identified as suitable for their needs and ■ It explains why they consider the available options suitable and other options unsuitable 	7 (Explore options)

CONC 8 paragraph number(s)	Summary of FCA's requirements/guidance	Peer review category
8.3.4R(3) 8.3.4R(4)	<p>The advice must be provided to the client in a durable medium (this is called a confirmation of advice letter) which must take proper account of the client's individual needs and any requests and cover the following points:</p> <ul style="list-style-type: none"> ■ Make clear which debts will be included in, and which debts will be excluded from, any debt solution ■ Make clear the actual or potential advantages, disadvantages, costs and risks of each option available to the client together with any entry conditions that apply and which debts may be covered by each option ■ Warn the client of the actual or potential consequences of: <ul style="list-style-type: none"> ■ failing to continue to pay priority debts (see CONC 8.3.4R(3)(a) for a description of these) ■ not continuing to make repayments under credit agreements or consumer hire agreements ■ ignoring correspondence or other contact from lenders and those acting on their behalf ■ Warn the client that: <ul style="list-style-type: none"> ■ action to recover debts may be commenced which may involve the client in further costs and ■ there is no guarantee that by entering into a DMP or other repayment plan that any current recovery or legal action will be suspended or withdrawn ■ Make clear the risks associated with an IVA or protected trust deed (in Scotland) (see CONC 8.3.4R(4) for details of these) and ■ Where relevant, explain the nature of an insolvency procedure and the role of the firm (if any) 	7 (Explore options)
8.3.7R(1)	Firms must provide clients with an impartial source of information on the range of debt solutions available to them in the relevant UK country which is their home.	10 (Implement action plan)
8.3.7R(2)	<p>Before giving any advice or any recommendation on a particular course of action in relation to the client's debts, firms must carry out a reasonable and reliable assessment of:</p> <ul style="list-style-type: none"> ■ The client's financial position, including their income, capital and expenditure ■ The client's personal circumstances which include the reasons for the financial difficulty, whether it is temporary or longer term and whether the client has previously entered into a debt solution and, if it failed, the reasons for this. ■ Any other relevant factors which include any known or reasonably foreseeable changes in the client's circumstances and ■ Seek to ensure that the client understands the options available and the implications and consequences of the firm's recommended course of action 	2 (Explore the debt problem), 5 (Maximise income), 10 (Implement action plan)

CONC 8 paragraph number(s)	Summary of FCA's requirements/guidance	Peer review category
8.3.7R(4) 8.3.8G(4) and (5)	<p>Where the firm is unable to:</p> <ul style="list-style-type: none"> ■ Assist a client who has debt problems which require immediate attention or ■ Provide appropriate advice or an appropriate debt solution for the client <p>they must refer the client to an appropriate debt advice provider (or, in the case of the second bullet point, the FCA says the firm can instead sign-post the client).</p>	10 (Implement action plan)
8.5.1R 8.5.2G	<p>A Financial Statement must be:</p> <ul style="list-style-type: none"> ■ Accurate and realistic and present a sufficiently clear and complete account of the client's income and expenditure, debts and the availability of income ■ Sent to creditors only after having obtained the client's consent to do so and confirmation of its accuracy ■ Also sent to the client (the FCA recommends the use of the CFS or an equivalent or similar FS) 	6 (Financial statement)
8.5.3G	<p>Offers to creditors should be realistic and sustainable and should have regard to the client's best interests. A 'sustainable offer' is one that should enable the customer to meet the payments in full when they are due out of the client's disposable income during the period of the proposal (which is likely to be for at least 6 months and no more than 12 months) (see also: CONC 8.2.2G(2)). Offers should take account of the client's priority debts and, in considering whether goods or services are essential, the firm should consider the client's personal circumstances.</p>	8 (Priority creditors), 9 (Other creditors)
8.5.4R 8.5.5G	<p>Firms must take reasonable steps to verify the client's identity, income and outgoings and seek explanations if a client indicates expenditure which is particularly high or low. The FCA says what is reasonable depends on the circumstances of the case and the type of service the firm offers eg. telephone only. Expenditure estimates are considered reasonable where precise figures are not available. The use of expenditure guidelines eg as in the CFS 'trigger figures' may be used, where appropriate, as an indicator of the client's outgoings and needs to take account of the client's individual circumstances.</p>	5 (Maximise income)

CONC 8 paragraph number(s)	Summary of FCA's requirements/guidance	Peer review category
8.6.1R 8.6.2R	<p>Where, before any debt solution is agreed, a firm advises a client not to make a contractual payment or to cancel any means of making such a payment (such as a Continuous Payment Authority or Direct Debit) the firm must:</p> <ul style="list-style-type: none"> ■ Be able to demonstrate that this is in the client's best interests ■ Advise the client to notify their creditors straight away and explain that they are following the firm's advice and ■ Warn the client of the actual or potential consequences of taking that course of action 	7 (Explore options), 10 (Implement action plan)
8.6.3R 8.6.4G	<p>Firms must not advise clients to make repayment arrangements at a rate which is lower than the rate necessary to meet interest and charges accruing unless this is in the client's best interests and should explain clearly to the client why the course of action is necessary and the consequences. FCA guidance is that it will generally be in the client's best interests to make regular payments to creditors even if these are lower than the full sum due but recognises that it may be in the client's best interests not to make repayments at a rate necessary to meet interest/charges accruing where the client has insufficient disposable income to meet their essential expenditure.</p>	7 (Explore options), 10 (Implement action plan)
8.6.5R 8.6.6G(1)	<p>If it becomes clear to the firm that any of the courses of action dealt with in CONC 8.6.1R, 8.6.2R or 8.6.3R is not producing effects in the client's best interests, then it must advise the client. The FCA recognises that an effect not in the client's best interests would be if creditors do not agree to stop applying interest and charges to the debt .</p>	10 (Implement action plan)
8.6.6G(2)	<p>If the client has a DMP and it would be in the client's best interests to withdraw from the DMP, the firm must advise the client of the possibility of doing so.</p>	7 (Explore options), 10 (Implement action plan)

Appendix F: CONC 8 (debt advice) mapped against the categories in the advice-only form

Mapping CONC 8 (Debt Advice) against Case Review Criteria (advice-only) categories

The table below summarises the relevant section under the FCA's guidance where the peer review scheme will identify and support continuous improvement for advice delivery above the minimum standards set by FCA. References to paragraphs containing an R are references to Rules and references to paragraphs containing a G are references to Guidance.

CONC 8 paragraph number(s)	Summary of FCA's requirements/guidance	Peer review category
8.2.2G(1)	A firm should ensure that appropriate advice is given to clients who live in the different countries of the UK and that regard is had to the different debt solutions available to those clients and the differences in enforcement actions and procedures .	3 (Explore options)
8.2.7R 8.2.8G	Firms must have policies and procedures in place to identify particularly vulnerable customers and deal with them appropriately. Clients with mental health and mental capacity issues may fall into this category.	2 (Explore the debt problem)
8.3.2R	Firms must ensure that: <ul style="list-style-type: none"> ■ All advice given and action taken <ul style="list-style-type: none"> ■ Has regards to the client's best interests ■ Is appropriate to the client's individual circumstances which include eg. the client's financial position, the country in the UK to whose laws and procedures the client and lender in question are subject and the client's level of understanding (see CONC 8.3.3G) and ■ Is based on a sufficiently full assessment of the client's financial circumstances ■ Clients receive sufficient information about the available options identified as suitable for their needs and ■ It explains why they consider the available options suitable and other options unsuitable 	3 (Explore options)
8.3.7R(1)	Firms must provide clients with an impartial source of information on the range of debt solutions available to them in the relevant UK country which is their home.	4 (Action plan/Next steps)

CONC 8 paragraph number(s)	Summary of FCA's requirements/guidance	Peer review category
8.3.7R(2)	<p>Before giving any advice or any recommendation on a particular course of action in relation to the client's debts, firms must carry out a reasonable and reliable assessment of:</p> <ul style="list-style-type: none"> ■ The client's financial position, including their income, capital and expenditure ■ The client's personal circumstances which include the reasons for the financial difficulty, whether it is temporary or longer term and whether the client has previously entered into a debt solution and, if it failed, the reasons for this. ■ Any other relevant factors which include any known or reasonably foreseeable changes in the client's circumstances and ■ Seek to ensure that the client understands the options available and the implications and consequences of the firm's recommended course of action 	2 (Explore the debt problem), 3 (Explore options), 4 (Action plan/ Next steps)
8.3.7R(4) 8.3.8G(4) and (5)	<p>Where the firm is unable to:</p> <ul style="list-style-type: none"> ■ Assist a client who has debt problems which require immediate attention or ■ Provide appropriate advice or an appropriate debt solution for the client <p>they must refer the client to an appropriate debt advice provider (or, in the case of the second bullet point, the FCA says the firm can instead sign-post the client).</p>	4 (Action plan/Next steps)
8.5.1R 8.5.2G	<p>A Financial Statement must be:</p> <ul style="list-style-type: none"> ■ Accurate and realistic and present a sufficiently clear and complete account of the client's income and expenditure, debts and the availability of income (the FCA recommends the use of the CFS or an equivalent or similar FS) 	3 (Explore options)
8.5.3G	<p>Offers to creditors should be realistic and sustainable and should have regard to the client's best interests. A 'sustainable offer' is one that should enable the customer to meet the payments in full when they are due out of the client's disposable income during the period of the proposal (which is likely to be for at least 6 months and no more than 12 months) (see also: CONC 8.2.2G(2)). Offers should take account of the client's priority debts and, in considering whether goods or services are essential, the firm should consider the client's personal circumstances.</p>	3 (Explore options)

CONC 8 paragraph number(s)	Summary of FCA's requirements/guidance	Peer review category
8.5.4R 8.5.5G	Firms must take reasonable steps to verify the client's identity, income and outgoings and seek explanations if a client indicates expenditure which is particularly high or low. The FCA says what is reasonable depends on the circumstances of the case and the type of service the firm offers eg. telephone only. Expenditure estimates are considered reasonable where precise figures are not available. The use of expenditure guidelines eg. as in the CFS 'trigger figures' may be used, where appropriate, as an indicator of the client's outgoings and needs to take account of the client's individual circumstances.	3 (Explore options)
8.6.1R 8.6.2R	Where, before any debt solution is agreed, a firm advises a client not to make a contractual payment or to cancel any means of making such a payment (such as a Continuous Payment Authority or Direct Debit) the firm must: <ul style="list-style-type: none"> ■ Be able to demonstrate that this is in the client's best interests ■ Advise the client to notify their creditors straight away and explain that they are following the firm's advice and ■ Warn the client of the actual or potential consequences of taking that course of action 	3 (Explore options), 4 (Action plan/Next steps)
8.6.3R 8.6.4G	Firms must not advise clients to make repayment arrangements at a rate which is lower than the rate necessary to meet interest and charges accruing unless this is in the client's best interests and should explain clearly to the client why the course of action is necessary and the consequences. FCA guidance is that it will generally be in the client's best interests to make regular payments to creditors even if these are lower than the full sum due but recognises that it may be in the client's best interests not to make repayments at a rate necessary to meet interest/charges accruing where the client has insufficient disposable income to meet their essential expenditure.	3 (Explore options), 4 (Action plan/Next steps)
8.6.5R 8.6.6G(1)	If it becomes clear to the firm that any of the courses of action dealt with in CONC 8.6.1R, 8.6.2R or 8.6.3R is not producing effects in the client's best interests, then it must advise the client. The FCA recognises that an effect not in the client's best interests would be if creditors do not agree to stop applying interest and charges to the debt	4 (Action plan/Next steps)
8.6.6G(2)	If the client has a DMP and it would be in the client's best interests to withdraw from the DMP, the firm must advise the client of the possibility of doing so.	3 (Explore options), 4 (Action plan/Next steps)

Appendix G: Peer Review report template

Money Advice Service Peer Review scheme Case review report template	
Name of Organisation:	
Name of Reviewer:	
Date of Review:	
Date of Report:	
1. Overview/Score	
2. Positive Findings	
3. Major Areas of Concern	
4. Areas for Development	
5. Further Comments	
6. Suggested Areas for Improvement/Action Plan	



**the Money
Advice Service**

Money Advice Service
Holborn Centre
120 Holborn
London EC1N 2TD
© Money Advice Service
August 2016

moneyadviceservice.org.uk