Developing a Data Community of Practice in the Access to Justice sector

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Introduction

The [Justice Lab](#) is a special initiative of [The Legal Education Foundation](#) to encourage and support the community of policymakers, frontline advice agencies and researchers working in the access to justice[1] sector to:

1. Improve the quality and availability of justice system data
2. Increase the volume of robust research into the justice system and pioneer the use of advanced quantitative methods in the study of justice system processes.
3. Increase capacity in the research community to design and deliver innovative quantitative research
4. Improve the uptake of robust evidence in the design and operation of the justice system

Increasing the quantity and use of research and evidence in the access to justice sector relies upon people within the sector increasing their data handling and research skills; and/or being able to have a level of ['technical intuition'](#) where they have confidence to ask questions of data/research practitioners. This paper will explore how developing a community of practice could support front line organisations to increase knowledge and sharing about data/research practices. Whilst there are a number of models which can be used to increase skills within an organisation e.g. knowledge exchange between experts and organisations such as the Government Statistical Services [Analytical Volunteer Programme](#) with charities; training courses e.g. [SCVO's digital events and training](#)– a community of practice supports individuals to connect with others from different organisations to form a community of support that shares learning and knowledge. This is particularly beneficial for the access to justice sector where [initial scoping research](#) conducted in 2020 suggested the sector was in the early stages of [data maturit](#)y.

What is a community of practice?

A community of practice (CoP) is a group of people who share a concern or interest and want to learn together, and from each other. It is a relatively new term (most attributed to Lave and Wagner 1991[2]), however it is an old concept- for example [guilds](#) have been around for centuries and could be described as an early form of CoP. Today CoPs can be found across a number of sectors and fields: in large businesses as part of organisational

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[1] Access to Justice sector is a wide term that covers organisations that help people to get appropriate legal redress when treated unfairly. It covers organisations such as Law Centres, law firms, charities e.g. JCWI and advice services e.g. Citizens Advice Bureau

[2] Lave, J., & Wenger, E. (1991). *Situated learning: Legitimate peripheral participation.* New York, NY: Cambridge University Press.

knowledge management[3,4] government[5,6], education[7], professional associations and civic life[8].

A CoP is commonly characterised by three features:
- **The domain**- The CoP is focused around a core area of interest
- **The community**- people join to learn and share information. Relationships are built between members
- **The practice**- members of the CoP are practitioners and develop and share resources which support learning and knowledge creation[9]

The NHS R community is a community of NHS data analysts who use the statistical programming package R. The community creates workshops, tutorials and has a platform to share best practice. It is funded by the Health Foundation's Advancing Applied Analytics programme 'which aims to improve analytical capability in support of health and care services'. NHS R Community is led by The Improvement Academy & University of Bradford with other health institutions.

Setting up a data analytical CoP within the health sector is comparably easier than setting up within the access to justice sector as the health sector has a long history of collecting data to be used for rigorous research studies. Part of the need for the NHS R Community came from recognition that some analytical staff within the NHS weren't being fully utilised for their skills (as well as a need for more health analysts[10]). The access to justice sector is starting further behind health where it is largely uncommon for data to be used for quantitative research, although this is expected to change due to HMCTS' digital upgrade and ambitions for increased usage of its data; and the increasing investment in law tech (technology used to support/deliver legal services).

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[3] Hemmasi, M, and Csanda. C. "The Effectiveness of Communities of Practice: An Empirical Study." *Journal of Managerial Issues*, vol. 21, no. 2, 2009, pp. 262–279. *JSTOR*, www.jstor.org/stable/40604647.

[4] Corso, M. and Giacobbe, A., 2005. Building communities of practice that work: a case study based research. In: The Sixth European Conference on Organizational Knowledge, Learning, and Capabilities, 17–19 March, Bentley College, Waltham, Massachusetts, USA. https://www.researchgate.net/publication/228822218_Building_Communities_of_Practice_that_work_a_case_study_based_research

[5] Communities of Practice – Digital.gov

[6] How digital, data and technology communities of practice can benefit you and your organisation - Digital people

[7] https://www.teachingenglish.org.uk/article/teacher-educator-online-community-practice

[8] Kerno SJ, Mace SL. Communities of Practice: Beyond Teams. *Advances in Developing Human Resources*. 2010;12(1):78-92.

[9] https://wenger-trayner.com/introduction-to-communities-of-practice/

[10] Bardsley, M (2016) Understanding analytical capability in health care. Do we have more data than insight? Health Foundation

In 2019 Data Orchard reviewed 20 existing CoPs to explore if the not for profit/social enterprise sector needed a CoP focused on data production and use. They found few examples at the time[11]. However in Autumn 2020, DataKind UK in partnership with Social Finance; Centre for Youth Impact; Newspeak House; and independent researchers[12] were provided with funding from The Catalyst to develop a 'Data Collective' which has expanded DataKind UK's existing data science community of practice to a general data CoP. However, the data collective is still in the early stages of establishment and more is expected to be known post April 2021.

How does a community of practice function?

Whilst there is general agreement around the core characteristics of a CoP, there are differing views of how a CoP can function. In the setting up phase, there are some that 'view CoPs and knowledge as a process rather than an entity that can be simply 'set up'[13] whilst other studies have shown that CoP can be successful when intentionally created[14]. However, there is common agreement across literature that a successful CoP will have the following features (summary taken and adapted from GDS Community development framework) and interviews[15]:

1. A clear mission
2. A clear articulation of who constitutes the community and what they would like to get out of it
3. A community development manager/ facilitator that sets the agenda and provides organising; administrative support; and encourages participation from members
4. A programme of activities and events such as sharing projects, having workshops, focused training.
5. A platform for activities to take place- either physical e.g a room and/or online e.g Slack.
6. Members attend a CoP on a voluntary basis

360 Giving is a charity established in 2015 that supports grantmakers to become more 'informed, effective and strategic' through publishing and using data about grants. Prior to 360 Giving, very few grant makers openly published their data, and few were knowledgeable of how to do this. 360 Giving recognised that funders would need support

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[11] DataKind UK's CoP for data scientists working in the not for profit sector was featured (which Tracey Gyateng used to manage).

[12] Mor Rubinstein, Tom French, Laura Townshead

[13] Pyrko, I., Dörfler, V. and Eden, C. (2017) 'Thinking together: What makes Communities of Practice work?', *Human Relations*, 70(4), pp. 389–409. doi: 10.1177/0018726716661040

[14] Kerno, Mace (2010)

[15] See appendix A

to develop data skills and have staff that provide direct support to publish data. Alongside staff support, 360 Giving has developed a community of practice focused on supporting grantmakers to create a [data culture](#) within their organisations. The [Data Champions](#) programme is aimed at junior to mid level staff in grant making organisations who want to become more confident in using data; understand how to grow a data culture within their organisations; and connect with other people on the same journey. It is facilitated by [Dirk Slater](#), an expert facilitator, community builder and also works on data literacy. The programme lasts for six months and consists of workshops and peer discussions. The programme has moved to being fully delivered online due to Covid and is free for all members. For further information about topics covered by the Data Champions do read their [Data Skills blog](#).

The Data Champions model has been taken and adapted by [Open Data Manchester](#) a small CIC that focuses on supporting people within Manchester to make responsible use of data that benefits 'people, planet and prosperity'. Similar to Data Champions, '[Data for Communities](#)' supports people to gain practical skills; ask questions; and connect with others, however the engaged community are more varied, drawing people from all across Manchester, with an emphasis placed on making data accessible, fun and raising awareness of the relevancy of data to people's work and lives by using creative means where possible. Staff capacity to facilitate meetings can be an issue, but the meetings generally take place each month.

What are the key success factors for a community of practice?

Cultivating a group of people who share a domain and practice into a community can happen spontaneously (some people may be operating as a CoP without knowing this terminology) or can require support to be developed. However ensuring that it thrives requires members to have:
- a shared identity;
- a leader(s) that creates and keeps momentum going; and
- members valuing the work of the CoP, within the practicalities of busy lives[16].

A community of practice which can be described as unhelpful[17] will have the opposite of the factors listed above– people aren't passionate about the domain of interest; there is an absence of leadership/ or a leader is not encouraging or enabling members; members do not see the value of attending the group and stop attending. These are not the only

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[16] Etienne and Beverly Wenger-Trayner, https://wenger-trayner.com/resources/key-success-factors/
[17] Using the word failing seems quite harsh!

factors which determine how strong a CoP will be[18] but in summary, not clarifying and embedding the key attributes outlined in the previous section is likely to lead a CoP where benefits of being part of a CoP are unclear.

How to evaluate a community of practice?

A CoP is based on social interactions and is often situated within a context of other personal and organisational activities which support knowledge management "making it difficult to disentangle cause and effect in any meaningful way"[19]. However, there are a number of metrics which can be used to indicate the value of a CoP to its members and to the organisations/communities they belong to. Interviewees discussed:

1. recording attendance and checking for regular attendance
2. noting the levels of engagement between participants and whether ideas are being generated or requests being made for further themed sessions
3. capturing through feedback forms or interviews any changes to participants and their work.

Superhighways, the lead partner in the Datawise London programme funded by the Cornerstone Fund to provide data support for small charities and community groups in London is using a simple before and after design to understand outcomes within their Data Cohort or CoP. They have developed an eight month co-designed programme of data support which began in September 2020. The CoP involves a small cohort of staff working within charities, meeting once a month to discuss their data related work and receive training and support to progress self defined goals. In addition, each member has a mentor from one of the Datawise London partner organisations. At the beginning of the programme, each member used the data maturity framework to assess their organisation, and at the end of the programme, they will be reassessed to see what progress has been made. Hemmasi, M, and Csanda. C. (2009) also discusses the use of surveys for evaluation, however a limitation in this approach is that the data is based on self perception of the efficacy of a CoP.

Government Digital Services provide a list of metrics that a CoP can track, which are presented below. However there are other frames for evaluating a CoP which can be useful to review when developing an evaluation framework for a CoP such as development

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[18] For example 1) Etienne and Beverly Wenger-Trayner: https://wenger-trayner.com/project/key-success-and-failure-factors/; 2) Nick Milton's summary of Probst, Gilbert & Borzillo, Stefano. (2008). Why communities of practice succeed and why they fail. European Management Journal. 26. 335-347. 3) Pyrko, I., Dörfler, V. and Eden, C. (2017)
[19] Henley Business School, University of Reading (2015). Evaluating communities of practice: adopting learning-orientated approaches

evaluation–often used to evaluate complex social programmes[20]; and realist evaluation– which is often used when the context of where a programme is situated is considered important[21].

Table 1: Reporting Metrics

Metric	How would you measure it?	How it might be useful	Risks
Size of community	Number of members or rate of growth	Track how community is growing (or not)	Size isn't an indicator of quality. What if they're all lurkers?
Community make-up	Data about members (eg gender, role, location)	Shows breadth and inclusivity. Helps ensure your community is diverse	A diverse community might not be a good indicator of community health or progress, or may only be 1 factor
Participation levels	Number of contributions / breadth of contributions / number of contributions from new users / number of contributions that generate a useful bit of community knowledge or data	Activity can be a good indicator of a healthy community	Participation isn't necessarily always a good thing – can be disruptive or without value
Impact	Good question! It can be tricky to measure impact, but you might be able to find some proxies, eg edits to the wiki or library which have come from the community	Shows that the community is having an effect and may be helping to change things for the better	Hard to measure accurately
Value	Survey members to understand satisfaction and how useful they find it	Demonstrates utility to the community, and can be compelling when combined with another metric	Very subjective. Not very useful on its own

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[20] ibid

[21] Ranmuthugala, G., Cunningham, F.C., Plumb, J.J. *et al.* A realist evaluation of the role of communities of practice in changing healthcare practice. *Implementation Sci* 6, 49 (2011). https://doi.org/10.1186/1748-5908-6-49

Source: Government Digital Service [Community Development Handbook](#)

An important note in evaluating a CoP, similar to most programme evaluations, is to understand what stage a CoP is in. [Better Evaluation](#) cites Cambridge and Suter (2005:2)[22] six stages:

- "**Inquire**: Through a process of exploration and inquiry, identify the audience, purpose, goals, and vision for the community.
- **Design**: Define the activities, technologies, group processes, and roles that will support the community's goals.
- **Prototype**: Pilot the community with a select group of key stakeholders to gain commitment, test assumptions, refine the strategy, and establish a success story.
- **Launch**: Roll out the community to a broader audience over a period of time in ways that engage newcomers and deliver immediate benefits.
- **Grow**: Engage members in collaborative learning and knowledge sharing activities, group projects, and networking events that meet individual, group, and organizational goals while creating an increasing cycle of participation and contribution.
- **Sustain**: Cultivate and assess the knowledge and "products" created by the community to inform new strategies, goals, activities, roles, technologies, and business models for the future."

Reflection and learning should be conducted throughout each stage, but outcome evaluation should be conducted at the sustain stage.

A data community of practice in the access to justice sector?

As discussed earlier, the creation of a CoP focused on data within the access to justice sector is appealing due to initial research which highlighted a low use of data within frontline access to justice organisations. In addition, organisations consulted in this research expressed interest in developing their data and evaluation processes. Faced with a similar (although more complex) challenge within social care (in which Covid-19 further illustrated 'major weaknesses in social care data system'[23]), the Health Foundation has funded [Future Care Capital](#) to set up a [CoP](#). The aim of the COP is to support the sector to learn and share how data can be used to improve the quality of care,

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[22] Cambridge, D. and Suter, V. (2005). *Community of Practice design guide: A step-by-step guide for designing & cultivating communities of practice in Higher Education.* EDUCAUSE Learning Initiative (ELI).
[23] Health Foundation (2020). [Strengthening Social Care Analytics](#)

strengthen the social care workforce and understand lived experience of people needing social care.

Within the access to justice sector, there are some initiatives which enable information about data and technology to be shared. Network to Justice (previously called the Litigants in Person Network) is a network open to all professionals and organisations working in the access to justice together to share knowledge and experience and support collaborations. The network had trialed a data and evaluation working group with the intention to 'increase the capabilities of access to justice organisations to compliantly and strategically collect, curate, use and evaluate data to improve access to justice'[24] but as a small team hosted within the Access to Justice Foundation their capacity was limited to take forward this work. Instead Network to Justice has created the Justice and Innovation Group, which focuses on new ways of working– which includes data and technology. Meetings are held quarterly and enables sharing of projects and news across a wide range of interested stakeholders.

Based on current research, there doesn't appear to be a data focused CoP for the access to justice sector. It would be advisable to support the creation of a small, clearly defined, data focused CoP with a group of engaged data leads within frontline organisations.

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[24] Terms of reference of the data and evaluation sub group

Appendix A: Interviewees

I would like to thank the following for spending time to discuss their projects and shaping my thoughts. All errors are, however, mine.

Sam Milsom, Open Data Manchester
Dirk Slater, Fabrider
Ellen Coughlan, Health Foundation
Martha de la Roche, Network to Justice
Kate White, Superhighways