



**CPD Handbook**

**Interim arrangements**

**October 2013 –  
September 2016**

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## INTRODUCTION

1. This handbook guides you on how to meet your continuing professional development (CPD) requirements during the phased implementation of the new CPD scheme.
2. It also includes master copies of the documentation which you must complete each year and reference material to help you to plan your CPD activities as this becomes appropriate.
3. The handbook is divided into a number of sections and the sections that apply to you depend on the CPD year and your grade of membership.

## Timeline for implementation

4. The definition
5. The definition of CPD has been changed to reflect the changed focus of CPD in assuring competence. This includes focusing on the protection of consumers and the public by ensuring that CILEx members choose CPD which is most relevant to their development needs. The definition is on page 4 of the handbook, the new definition takes immediate effect.
6. Overview of CPD requirements

### **From October 2013: All grades of membership:**

Fellows, Legal Accounts Executives and Associate Prosecutors

= 16 hours

Graduate members and Legal Accounts Members

= 12 hours

Associate members

= 8 hours

### **AND**

**All grades of membership mentioned above must demonstrate 1 learning outcome which comes under the heading of professionalism.**

7. Unlike the hours requirement, the professionalism part of your CPD must be undertaken through **reflecting** on your work, to identify an area of professionalism that you would like to develop in, **plan** an activity taking into account this development area, to **take part** in the CPD activity and once completed, **evaluate** your experience to determine how relevant the activity was.

8. To help you with this, you may want to consider the 'Professionalism CPD Document' at page 23. This contains some ideas to help you to plan relevant activity and also includes the evaluation document which you should complete and retain, in case your record is sampled.

**From October 2014:**

**Graduate Members, Legal Accounts Members and Associate Members** will complete the hours and professionalism model as outlined above.

**Fellows, Legal Accounts Executives and Associate Prosecutors** will move to the new scheme as set out in Section 3 of the handbook.

**From October 2015:**

**Graduate Members and Legal Accounts Members** required to undertake CPD will move to the new scheme as set out in Section 3 of the handbook.

**Associate Members** will complete the hours and professionalism model as outlined above.

9. These requirements are summarised in the table below:

	<b>Oct 2013/4</b>		<b>Oct 2014/5</b>		<b>Oct 2015/6</b>	
	Section	Page	Section	Page	Section	Page
<b>Fellows, Legal Accounts Executives and Associate Prosecutors</b>	Existing scheme + Professionalism		New scheme including Professionalism		New scheme including Professionalism	
	1	6	2	23	2	23
	2	23	3	37	3	37
<b>Graduate members, Legal Accounts Members</b>	Existing scheme + Professionalism		Existing scheme + Professionalism		New scheme including Professionalism	
	1	6	1	6	2	23
	2	23	2	23	3	37

<b>Associates</b>	Existing scheme + Professionalism		Existing scheme + Professionalism		Existing scheme + Professionalism	
	1 2	6 23	1 2	6 23	1 2	6 23

# **SECTION 1**

## **SECTION 1 – Hours based CPD scheme**

### **Types of Training**

10. The CPD requirements for each membership grade are divided into two broad categories:

#### **(i) Specialist Training**

Members are required to choose their area of specialisation by marking the area on their CPD logbook. This will usually be the main area of work in which the member practises but, where a member works in a more general capacity, they may designate a specialist area of their choice. Members are required to undertake a minimum of half of their CPD hours training in their chosen specialist area.

#### **(ii) Non-Specialist Training**

The other half of the CPD hours may be taken in any area(s) of a member's choice (which may also be in their areas of specialisation if they wish) which they consider would be of benefit to them in their daily role. This may include non-legal work such as management training, or the development of communication skills or information technology skills.

### **Recording CPD**

Members are required to record their CPD through an on line recording system. Members may log onto 'myCILEx' through the CILEx website ([www.cilex.org.uk](http://www.cilex.org.uk)). The website contains online log books which members must access to record details of CPD training they have undertaken. Members must submit their log book to CILEx electronically once they have completed their CPD for the year. By submitting the log book to CILEx a member will be making a declaration indicating that the CPD listed on the log book has been completed. False declarations will be referred to the IPS as a conduct matter.

### **HOW TO OBTAIN CPD CREDIT THROUGH TRAINING**

11. Listed below are recognised CPD activities for this scheme: When selecting activities, members are reminded to consider the requirements relating to CPD hours for specialist and non-specialist training, as well as the criteria relating to the maximum number of CPD hours credit for specific activities.

12. All members are reminded that they must undertake **at least half of their CPD** in their designated **specialist area**. However, members who are working, but not employed within legal practice, are not required to nominate a specialist area.

### **Recognised CPD Activities**

13. The list of recognised CPD activities should be used in conjunction with the criteria and explanatory notes detailed below, as well as the required evidence detailed in the following table. Particular attention is drawn to the criteria relating to CILEx Law School updates and the Legal Executive Journal or Internet articles.

- (i)** CILEx Law School Updates for current CPD year
- (ii)** Relevant Journal or Internet Articles for current CPD year
- (iii)** Attendance at courses or seminars in specialist or non-specialist areas
- (iv)** Distance Learning Courses (including e-learning) in specialist or non-specialist areas
- (v)** In-house training by employer in specialist or non-specialist areas
- (vi)** Training by local CILEx or Law Society Branches in specialist or non-specialist areas
- (vii)** Academic or professional study in specialist or non-specialist areas
- (viii)** Production of a dissertation in specialist or non-specialist areas
- (ix)** Research of a legal topic in specialist areas only
- (x)** Preparation and delivery of training courses in specialist or non-specialist areas
- (xi)** Work shadowing in specialist or non-specialist areas
- (xii)** Coaching or mentoring in specialist or non-specialist areas
- (xiii)** Participation in development of areas of law through Committee or Working Party activity – specialist areas only
- (xiv)** Writing on law or practice – specialist areas only

### **14. Criteria and Explanatory Notes Relating to CPD Activities**

**(i) CILEx Law School updates, and (ii) Relevant journal or internet articles:**

- a. Only two CILEx Law School updates are available for each member.
- b. One CILEx Law School update equals a maximum of 4 hours CPD, and is likely to be in a member's specialist area, but could be in a non-specialist area.

- c. Members can claim a maximum of 75% of their CPD for reading relevant articles and using CILEx Law School updates.
- d. Another CPD activity (other than CILEx Law School updates or reading relevant articles) MUST be undertaken by members to achieve the outstanding 25% CPD.

### **Use of CILEx Law School CPD updates, course manuals and self-assessment questions and answers**

Each year CILEx Law School will forward self-assessment questions and answers, with either a specially written CPD update or ILEX Tutorial College (CILEx Law School) course manual, to members who request them. A maximum of two CPD updates and/or CILEx Law School course manuals and self-assessment questions will be provided for each member. Members are required to study the CPD update or CILEx Law School course manual and answer 30 multiple-choice and/or short-answer questions based on the materials. Members are not required to return their answers to CILEx Law School, but should retain them with their logbook as CILEx may request them for checking purposes. Wherever possible, the CPD updates or CILEx Law School course manuals and self-assessment questions and answers will be self-contained but, where there are major changes to the law in a particular field, it may not be practical to produce a self-contained guide in that field. These materials should become available between June and September. Members should note that the CPD updates, CILEx Law School course manuals and self-assessment questions and answers are not intended for academic study of the law. They are intended for those members already practising in the area of law for which the CPD materials have been requested, and they therefore assume a level of knowledge in that topic equivalent to a CILEx Level 6 Professional Higher Diploma in Law examination pass. Members are advised against undertaking this form of CPD unless they are already fully conversant with the area of law in question.

Completion of CILEx Law School CPD materials in one subject will equate to 4 hours CPD. Members may request two sets of CILEx Law School CPD materials, one of which must be in their nominated area of specialisation.

The CILEx Level 6 Professional Higher Diploma in Law subjects for which CILEx Law School CPD materials are available are as follows:

CILEx Law School CPD updates, self-assessment questions, answers and feedback

Civil Litigation

Conveyancing and Land Law (combined\*)

Criminal Law and Practice (combined\*)

Probate Law and Practice (combined\*)

Family Law and Practice (combined\*)

Law of Tort

Law of Contract

Landlord and Tenant Law

Equity and Trusts

Employment Law

\* These subjects have been combined to create one text containing both substantive law and legal practice.

4 hours CPD is given for the combined subject.

### **(iii) Attendance at a course presented by a training provider**

Attendance at a course provided by a training provider is sufficient training for CPD purposes up to the amount of hours in actual attendance. A member will need to complete his or her logbook with the details of the course and the number of hours of CPD credited, and ask the training provider to provide the course code for marking on the logbook as proof of attendance. All training providers should provide a course code. CILEx is unable to provide guarantees regarding the training delivered by any training provider.

### **(iv) Distance learning courses offered by a training provider**

Distance learning courses (including e-learning) provided by a training provider are acceptable up to the amount of hours specified in the course materials, as long as the course provider has supplied the course code for the logbook in the same manner as for courses requiring attendance.

Any course taken with a training provider accredited by the Law Society or any other professional body may be used as CILEx CPD, provided the requirements of the CILEx scheme are satisfied.

### **(v) In-house training by employer**

A member may engage in training carried out in-house by his or her employer as part of that employer's continuing professional development for staff. The member's log book must be signed off by the Training Manager or any equivalent person within the firm and submitted on request as evidence of training to CILEx. In-house training providers are automatically approved for training their own staff, and are not required to undergo a formal listing process.

### **(vi) Training provided by local ILEX Branches or local Law Societies**

A member may engage in training carried out by a CILEx Branch or by a local Law Society. Members should check with their local Branch for any CPD training offered throughout the year.

### **(vii) Academic study**

Academic study may be used to fulfil the CPD requirements in respect of all CPD hours in either specialist or non-specialist areas.

### **(viii) Dissertation**

Actual time researching and writing up a dissertation in the member's chosen specialist area equates to up to 100% of the CPD requirement, whereas research and writing up a dissertation within a non-specialist area equates to up to 50% of the CPD requirement. Where research and writing of a dissertation spans more than one year, this activity can be claimed for CPD purposes each year.

### **(ix) Research**

Actual time spent on research undertaken in the member's chosen specialist area equates to up to 100% of the CPD requirement, whereas research undertaken in a non-specialist area equates to a maximum of 50% of the CPD requirement.

### **(x) Preparation and delivery of training courses**

Members, who are CILEx tutors delivering the Level 3 Professional Diploma in Law or Level 6 Professional Higher Diploma in Law, cannot

claim the delivery of these courses as a CPD activity. However, preparation, including research to ensure that up- to- date material is delivered, is a recognised CPD activity.

#### **(xi) Work shadowing**

Actual time spent work shadowing equates to 100% of the CPD requirement if it is undertaken within the chosen specialist area, and equates to a maximum of 50% of the CPD requirement if it is undertaken within a non-specialist area.

#### **(xii) Coaching and mentoring**

Members, who are CILEx Level 3 and Level 6 tutors, cannot claim as a CPD activity the coaching or mentoring of CILEx students towards their professional qualifications. This applies to coaching and mentoring in both specialist and non-specialist areas.

#### **(xiii) Participation in development of specialist areas of law**

This only counts as a recognised CPD activity when it is undertaken within the member's chosen specialist area of law. Actual time spent at meetings etc equates to up to 100% of the CPD requirement.

#### **(xiv) Writing on law and/or practice**

This only counts as a recognised CPD activity when it is undertaken within the member's chosen specialist area of law. Actual time spent on writing equates to up to 100% of the CPD requirement.

The table on the following pages explains how CPD hours can be claimed and what evidence is required for the logbook for each CPD activity.

**CPD ACTIVITIES: HOURS CLAIMED AND EVIDENCE REQUIRED  
ADMINISTRATION AND APPLICATION OF THE CPD SCHEME**

<b>Activity</b>	<b>Amount of CPD which can be claimed</b>	<b>Evidence Required</b>
CILEX LAW SCHOOL updates, course manuals and self-assessment questions	4 hours CPD per update. 2 updates available for each member leading to a maximum of 8 hours CPD  A maximum of 75% of the CPD requirement can be met by reading relevant articles and/or using CILEX LAW SCHOOL updates (see criteria above)	The details of the update/manual must be provided on the member's CPD logbook.  Answers to multiple-choice and/or short answer questions should be kept.
Reading relevant articles in the Legal Executive Journal or other reputable sources including the internet	Actual time up to 75 % of CPD (subject to any CPD hours claimed for CILEX LAW SCHOOL updates – see criteria above)	The article title, publication details and/or website address must be provided on the member's CPD logbook in the description column.
Attendance at a course/seminar – in a member's SPECIALIST AREA	Actual time – up to 100% of CPD requirement	The details of the training provider and the course must be provided on the member's CPD logbook.
Attendance at a course/seminar – in a members' NON-SPECIALIST AREA	Actual time – up to 50% of CPD requirement	The details of the training provider and the course must be provided on the member's CPD logbook.
Distance Learning Courses to include e-learning - in a member's SPECIALIST AREA	Actual time – up to 100% of CPD requirement	The details of the training provider and the course must be provided on the member's CPD logbook.
Distance Learning Courses to include e-learning - in a member's NON-SPECIALIST AREA	Actual time – up to 50% of CPD requirement	The details of the training provider and the course must be provided on the member's CPD logbook.
In-house training by employer – in a member's SPECIALIST AREA	Actual time – up to 100% of CPD requirement	The employer's details and information about the training must be provided on member's

		CPD logbook.
In-house training by employer – in a member's NON-SPECIALIST AREA	Actual time – up to 50% of CPD requirement	The employer's details and the nature of the training must be provided on member's CPD logbook.

<b>Activity</b>	<b>Amount of CPD which can be claimed</b>	<b>Evidence Required</b>
Training provided by local CILEx or Law Society Branches in a member's SPECIALIST AREA	Actual time – up to 100% of CPD requirement	Details of the Branch and the nature of the training must be provided on the member's CPD logbook.
Training provided by local CILEx or Law Society Branches in a member's NON- SPECIALIST AREA	Actual time – up to 50% of CPD requirement	Details of the Branch and the nature of the training must be provided on the member's CPD logbook.
Academic or Professional Study in a member's SPECIALIST AREA	Actual time spent studying – up to 100% of CPD requirement  Where study for qualification spans more than one year, this activity can be claimed for CPD purposes during each year of the qualification	Full details of the qualification (including subjects covered), the provider and the year of study must be provided on the member's CPD logbook.
Academic or Professional Study in a member's NON- SPECIALIST AREA	Actual time spent studying – up to 50% of CPD requirement  Where study for qualification spans more than one year, this activity can be claimed for CPD purposes during each year of the qualification	Full details of the qualification (including subjects covered), the provider and the year of study must be provided on the member's CPD logbook.
Production of a Dissertation in a member's SPECIALIST AREA	Actual time spent researching and writing up the dissertation – up to 100% of CPD requirement  Where research and writing of a dissertation spans more than one year, this activity can be claimed for CPD purposes each year	The title of the dissertation and the qualification details must be provided on the member's CPD logbook.
Production of a Dissertation in a member's NON- SPECIALIST AREA	Actual time spent researching and writing up the dissertation – up to 50% of CPD requirement  Where research and writing of a dissertation spans more than one year, this activity can be	The title of the dissertation and the qualification details must be provided on the member's CPD logbook.

	claimed for CPD purposes each year	
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<b>Activity</b>	<b>Amount of CPD which can be claimed</b>	<b>Evidence Required</b>
Research – must relate to legal topics/ be relevant to the member’s place of work and be in their SPECIALIST AREA	Actual time – up to 100% of CPD requirement	Full details of the topic for the research and, where applicable, the organisation which has commissioned the research must be provided on the member’s CPD logbook.
Research – must relate to legal topics/ be relevant to the member’s place of work and be in their NON-SPECIALIST AREA	Actual time – up to 50% of CPD requirement	Full details of the topic for the research and, where applicable, the organisation which has commissioned the research must be provided on the member’s CPD records.
Preparation and delivery of training courses in a member’s SPECIALIST AREA	Actual time – up to 100% of CPD requirement  CILEx tutors delivering the Level 3 Professional Diploma in Law or Level 6 Professional Higher Diploma in Law cannot claim the delivery of these courses as a CPD activity. However, preparation, including research to ensure that up to date material is delivered, is an appropriate activity	Full details of the course being delivered must be provided on the member’s CPD logbook.
Preparation and delivery of training courses in a member’s NON-SPECIALIST AREA	Actual time – up to 50% of CPD requirement  CILEx tutors delivering the Level 3 Professional Diploma in Law or Level 6 Professional Higher Diploma in Law cannot claim the delivery of these courses as a CPD activity. However, preparation, including research to ensure that up to date material is delivered, is an appropriate activity	Full details of the course being delivered must be provided on the member’s CPD logbook.

<b>Activity</b>	<b>Amount of CPD which can be claimed</b>	<b>Evidence Required</b>
Work shadowing – with clear aims and objectives for professional development in a member’s SPECIALIST AREA	Actual time – up to 100% of CPD requirement	Full details of the aims and outcomes of the work shadowing sessions must be provided on the member’s CPD logbook.
Work shadowing – with clear aims and objectives for professional development in a member’s NON-SPECIALIST AREA	Actual time – up to 50% of CPD requirement	Full details of the aims and outcomes of the work shadowing sessions must be provided on the member’s CPD logbook.
Coaching or mentoring – delivered face to face or at a distance with clear aims and objectives for professional development in a member’s SPECIALIST AREA	Actual time – up to 100% of CPD requirement  CILEx Level 3 and Level 6 tutors cannot claim the coaching or mentoring of CILEx students towards the professional qualifications as a CPD activity	Full details of aims and outcomes of the sessions must be provided on the member’s CPD logbook.  It is likely that this will be a specialist CPD activity but could include other skills, for example, presentation skills.
Coaching or mentoring – delivered face to face or at a distance with clear aims and objectives for professional development in a member’s NON-SPECIALIST AREA	Actual time – up to 50% of CPD requirement  CILEx Level 3 and Level 6 tutors cannot claim the coaching or mentoring of CILEx students towards the professional qualifications as a CPD activity	Full details of aims and outcomes of the sessions must be provided on the member’s CPD logbook.  It is likely that this will be a specialist CPD activity but could include other skills, for example, presentation skills.
Participation in development of specialist areas of law by attending meetings of specialist committees/working parties of relevant organisations undertaking such work – MUST BE IN A MEMBER’S SPECIALIST AREA	Actual time spent at meetings – up to 100% of CPD requirement	Details of the committee/working party and/or organisation, the area of law being considered must be provided on the member’s CPD logbook.
Writing on Law or Practice – to include material written for	Actual time – up to 100% of CPD requirement	Full details of the subject of the piece of writing and, where applicable, the publication/website/organisation for

journals, law books, publications, newspapers, magazines, internet – MUST BE IN A MEMBER'S SPECIALIST AREA		which the material is being produced must be provided on the member's CPD logbook.
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### **Submission of log books**

15. IPS requires members to submit their completed 2013 logbook to CILEx for monitoring and verification. False declarations relating to the CPD logbook will be referred to IPS as a conduct matter.
16. Log books should be submitted using the online recording system by 30 September 2013.

### **Affiliates upgrading to Associate member**

17. If an affiliate member of CILEx is upgraded to Associate membership during the CPD year (January to September), he or she will not be required to complete any CPD until the start of the CPD year following their upgrade to Associate membership.

### **Associate members upgrading to Graduate member**

18. If an Associate member of CILEx is upgraded to Graduate member during the CPD year (January to September) he or she will only be required to complete 6 hours CPD during that year. He or she will need to complete the full requirement of CPD from the start of the CPD year following their upgrade to Graduate membership.

### **Graduate members upgrading to Fellowship**

19. If a Graduate member of CILEx is upgraded to Fellowship during the CPD year (January to September) he or she will only be required to complete 9 hours CPD during that year. He or she will need to complete the full requirement of CPD from the start of the CPD year following their upgrade to Fellowship.

### **Members working outside legal practice**

20. Members who are currently working outside legal practice will be required to complete CPD in the normal way in accordance with the

Regulations, although they will not be required to designate a specialist area for CPD study.

### **Self-employed members**

21. CILEx members who are self-employed, whether providing legal services or otherwise, will be required to complete CPD in accordance with the Regulations.

### **Retired members**

22. Retired members are exempt from the requirement to complete any CPD training.

### **Legal Accounts Executives**

23. Legal Accounts Executives, whether Fellows of the Institute or not, are required to undertake CPD, although they are not required to nominate a specialist area. They are subject to the same conditions as Fellows and any reference to Fellows in this guide includes Legal Accounts Executives.

### **Chartered Legal Executive Advocates**

24. Fellows who are CILEx Advocates are required to undertake a minimum of 12 CPD hours, but at least 5 hours must be undertaken in advocacy skills.

### **Part-Time Employment**

25. CILEx members in any form of part-time employment are required to undertake CPD in the same way as members in full-time employment. This is non-discretionary.

### **Overseas members**

26. Members working outside the United Kingdom are subject to CPD. Overseas members may undertake training relevant to their own professional development using any of the methods available to United Kingdom members. However, as CILEx is unable to list overseas training providers, the following rules apply:

(i) Overseas members may attend local training courses in their nominated specialist area, if the course provider is approved by the local Bar or Law Society, or other such recognised legal professional body. The members are required to enter in the logbook the name and address of the training provider, and full details of the course undertaken.

(ii) Overseas members may undertake up to 50% of their CPD training in non-specialist areas, which is relevant to their individual professional development.

Members are required to enter in the logbook the name and address of the training provider, and full details of the course undertaken. Random checks will be made to verify the accuracy of the details provided.

As a condition of these concessions, the member's logbook must be signed by their employer (except in the case where a member is self-employed), in addition to the declaration signed by the member.

### **Members required to undertake CPD with other professional bodies**

27. CILEx recognises that many of its members are members of other legal professional bodies, such as the Law Society and Council for Licensed Conveyancers. These bodies have their own continuing professional development scheme. It is possible, therefore, for members to 'double count' CPD completed through that body towards completion of the CILEx CPD obligations, provided all the conditions of the CILEx scheme are met. CILEx members who have already completed CPD in their capacity as Solicitors or Licensed Conveyancers may produce this CPD evidence to satisfy their CILEx CPD. The CILEx CPD year need not coincide with those of other professional bodies.

### **Employers not funding CPD or not allowing time off to complete CPD.**

28. The responsibility to undertake CPD lies with the individual member. A member's employer is not obliged to provide them with time off from work to complete the CPD, nor is the employer obliged to fund the cost incurred by the member for undertaking CPD. Members who find themselves in such circumstances may wish to consider low cost CPD activities.

## **Dispensation from CPD for Reason of Absence**

29. Members who are absent from employment for 6 months or more in a CPD year, whether in legal practice or otherwise, due to:

- illness
- unemployment
- maternity leave

are **not** required to undertake CPD during the CPD year in which the situation applies. The member must write to the membership team seeking dispensation from the CPD requirements setting out the reason for the absence and the dates. Where a member seeks dispensation on the grounds of ill health, he or she must attach supporting medical evidence to their letter.

Members are expected to resume CPD on their return to work, and will be required to complete the full CPD requirement if they are absent from work for less than 6 months in a CPD year.

**Further details on dispensation are available from the CILEx Membership team on 01234 841000.**

## **Failure to Comply with CPD Requirements**

30. Failure to comply with the CPD requirements is a breach of IPS Regulations. It constitutes misconduct, and will be referred to IPS for investigation in relation to the conduct of the member. It may result in a referral to the Professional Conduct Panel which may reprimand or warn members. The Panel may also refer cases to the Disciplinary Tribunal which has additional powers, including the power to exclude members from membership of CILEx.

## **Example of the online logbook on myCILEx**

31. You will first need to login to myCILEx - go to the CILEx website and look for the login in the top right-hand corner of the homepage. Once logged in you will see a 'CPD Online' tab, under the 'For Members' section. This takes you to the CPD area of myCILEx. Clicking the 'Record CPD Activity' tab on the left takes you to your logbook. You must then scroll down and click 'Add New 2013 CPD record', you are now ready to enter your first CPD activity - you should see the box below.

The screenshot shows a web browser window with the URL <https://www.cilex.org.uk/mycilex/members/> and a tab titled 'Record CPD Activity'. The main heading is 'Add CPD Record'. The form contains the following fields and callouts:

- CPD Year:** A dropdown menu set to '2013'. Callout: 'The CPD must be undertaken in the current year to be submitted as part of your CPD log.'
- Activity Date:** Three dropdown menus set to '9', 'January', and '2013'. Callout: 'Click here for the drop-down-menu to select the area of your CPD.'
- CPD Type:** A dropdown menu set to 'ILEX Tutorial College CPD Updates'. Callout: 'Click here for the drop-down-menu to select the area of your CPD.'
- Non-CPD Activity:** An unchecked checkbox.
- Specialism Related:** A checked checkbox.
- Description:** A text area containing 'Completed ITC Update on Civil Litigation'. Callout: 'Write a short description of your CPD activity here – you should also note which area the activity relates to – simply writing "CILEX LAW SCHOOL Update" is not enough detail.'
- Organiser:** An empty text field.
- Course Code:** An empty text field.
- CPD Hours / Duration:** A dropdown menu set to '4.00'. Callout: 'Select the number of CPD hours that have been achieved from this specific'.
- Comments:** A text area with '(max 255 chars)'.

At the bottom of the form are three buttons: 'Submit', 'Reset', and 'Back To Summary'.

32. You will need to decide whether or not the activity is 'Specialism Related'. There is a box that you must tick if this is the case. If it is not in your specialism leave this box empty, you won't need to tick the 'Non-CPD Activity' box – by not ticking either it will be counted as your non specialist CPD, making up, at most, half of your CPD in total.
33. Other fields, such as 'Organiser', 'Course Code' and 'Comments', are not compulsory for completion. However, they prove useful for validity especially when you only have a very short description to write in the description box.
34. Please remember to 'Submit' this record once you have completed the required fields. This should then be visible on your logbook. You will be able to edit any logbook entries up until the point at which you click 'Submit 2013 CPD Log' – located at the bottom right of your logbook. This should only be done once you have ensured you have completed the minimum number of CPD hours required from your membership grade.

# **SECTION 2**

## SECTION 2 - Professionalism CPD Document

35. The new CPD scheme, which will be phased in over the next 3 years, changes the approach you will take to CPD, from a scheme that counts hours, to one where you think about what you would like/need to learn over the CPD year in order to maintain and develop as a legal professional.
36. Every year, you are required to demonstrate one learning outcome in the area of 'Professionalism'.
37. This part of the handbook sets out how the new scheme works in the context of professionalism.
38. The same principles apply to the new CPD scheme, so once you have achieved this for professionalism, you will be ready to adopt it when your grade of membership is brought into the scheme.

What is 'Professionalism'?

39. For the purposes of fulfilling the CPD requirement in professionalism, learning something new, or refreshing or developing your knowledge or skills, in one of the following areas, will count as your CPD:
  - Refreshing your knowledge and understanding of professional ethics, including the Code of Conduct
  - Improving knowledge of the primary business in which your clients work (business awareness)
  - Developing an understanding of the issues which may affect your clients (social awareness)
  - Developing your client communication skills
  - Improving your skills in dealing with challenging clients
  - Refreshing your knowledge and understanding of equality and diversity issues
  - Improving your time management skills
40. In order to meet the new requirements, you will need to take some time to **reflect** on which of these elements you would like to work on this year. You may have equality and diversity training scheduled at work or you may think that improving time management skills would have a positive effect on your work etc.

41. Once you have identified the area that you are going to work on (you need only choose **one**), you should then **plan** a CPD activity which you think will meet your identified learning need. This could be an external course, webinar, independent study, in-house training etc. This should be recorded on the document on page 52 of this document.
42. You should set out in your plan, the activity you intend to undertake and the date by which you will **complete the activity** (this should be no later than 30 September 2014). You should also identify the '*learning outcome*'.

*Because this part of your CPD is outcomes-based, when you are planning your CPD for this element of your CPD, you will think about what you want to learn from your CPD activity. This will be your 'learning outcome' from the activity.*

*Each of the suggested activities listed above is written as a learning outcome. It explains what you intend to learn from undertaking CPD and does so using a verb.*

*A learning outcome describes what you will have achieved (or learnt) once you have completed your activity.*

43. Once you have completed the activity, you should **evaluate** it. This means thinking about whether and how far the activity you undertook met your learning outcome. That is, did you refresh your knowledge of the area identified? Have you improved your client communication skills? etc. You may think that you could learn more as a result of completing the activity and this could be added to next year's plan.

## Professionalism Planning and Evaluation Document

Name: \_\_\_\_\_ Membership number: \_\_\_\_\_

**Reflect:** *Which area of professionalism could I work on this year?*

*What is my learning outcome?*

**Plan:** *What CPD activity will best meet my learning outcome?*

*When will I achieve this?*

**Act:** *Ensure you keep documentary evidence that supports your CPD activity, in case your CPD record is selected for sampling.*

### **Evaluate:**

- 1. How was the CPD activity relevant to your practice?*
- 2. How far did the CPD activity meet your learning outcome?*
- 3. If you have already used this learning in practice, how have you done this?*
- 4. If you have not yet applied the learning in practice, how do you expect to?*
- 5. If the activity did not meet your identified learning outcome, can you plan further CPD to meet this need? If yes, you can add this to your CPD plan.*

# **SECTION 3**

## SECTION 3 – The New Scheme

### *The new scheme explained*

44. The previous scheme measured the number of *hours you put into* CPD. This was the mechanism we used to assess your compliance with the requirements. However, this does not measure the benefit you take from those hours or CPD activities, nor does it mean that the recorded CPD is relevant to you. As a result it is not the best way of assuring your competence. This means that we have difficulty in meeting our obligations to ensure you continue to have the up to date skills and knowledge required of a legal services provider.
45. To get the most from CPD it should be relevant to you and should have a benefit to your work. The new scheme asks you to **reflect** on your work, to identify areas you would like to develop in, to **plan** some of your annual CPD requirement taking into account those development areas, to take part in the CPD **activity** and once completed, **evaluate** your experience to determine how relevant the activity was – this will also allow us to better assure your competence, as your CPD will be directly focused on development areas.
46. The new scheme sets a minimum number of learning outcomes that you should participate in. A learning outcome is what you hope to achieve from participating in the CPD (for instance 'to develop knowledge and understanding of the changes to a particular area of law which is relevant to your practice). There is a requirement for you to record a minimum number of CPD outcomes. This will be the same for all members required to undertake CPD, irrespective of grade of membership.
47. **These outcomes do not equate with hours** – a 6 hour course may have 1 outcome for your record (or it could be more), but equally reading the journal or learning as a result of something having gone wrong at work may also count as at least 1 outcome. The important element of the CPD is what you got out of the activity. If you learnt something new (or refreshed knowledge of an area of practice) which is relevant to your work, this is an outcome.
48. One of your outcomes must cover professionalism. This requirement has been introduced to ensure you are fully aware of the importance of professionalism in your day to day work. You will need to evidence that you have undertaken some CPD in professionalism every year.
49. If you are a Chartered Legal Executive Advocate you will be required to undertake 2 outcomes focused on advocacy skills, as part of the overall minimum to reflect the previous requirement of 5 hours.

## CPD activities

50. We already accept a wide range of activities as CPD, but the move away from an hours requirement has enabled us to consider what can be counted as CPD.
51. A minimum hours requirement makes it almost impossible to include 'on the job' learning as CPD. However, if you identify outcomes from CPD activities, we are able to recognise 'on the job' or unplanned learning as a valid element of CPD if you can show an outcome from the activity.
52. So, one of the changes introduced in the new scheme, is that any activity which is of benefit to your work can be counted, provided you can show its relevance to your work. This includes learning 'on the job' either:
- where you come across an unfamiliar situation and learn something from that, or
  - where something has gone wrong and you learn something new as a result of reflection and other activity you undertake in response to a matter.
53. When you learn something new, this is an outcome from the CPD activity.

## Recording CPD

54. We have developed a series of documents to help you to reflect, plan and evaluate the effectiveness of the CPD you have undertaken. These documents are for your own use. If you already use similar documents in your workplace, you can continue to use these instead, provided you can show that you **reflect, plan, act** and **evaluate** your CPD activities.

## CPD Record Submission

55. By 30 September each year, you must submit your CPD record, which identifies at least 9 CPD outcomes of which **at least 5** should come from planned activities. You should submit this information through 'MyCILEX'.
56. There is no need to submit any of the other documentation, but this should be retained for 2 years after the CPD year end as they may be called in for sampling by us.

## **What is CPD?**

57. We define CPD as:

'To maintain, improve and extend the skills and qualities necessary for the proper performance of professional and legal duties and compliance required by IPS, to ensure confidence in the professionalism and competence of CILEX members.'

## **What activities will count as CPD?**

58. We do not specify an exhaustive list of activities which will count as CPD, we simply expect you to undertake a range of CPD throughout the year. This might include, for example:

- Attending relevant courses, conferences and seminars
- Completing distance learning courses
- Doing in house training through your employer
- Doing CILEX Law School Updates
- Reading Journal articles relevant to your work
- Doing academic or professional study
- Producing a dissertation on a matter relevant to your practice
- Researching a legal topic and putting in place new or revised procedures as a result of the research outcomes
- Preparing and delivering training courses\*
- Work shadowing
- Giving coaching or mentoring\*
- Receiving coaching or mentoring
- Participating in the development of law through Committee or Working Group activity
- Writing on law or practice\*

\*These activities may be appropriate for senior members of the profession

59. In addition, the scheme recognises as CPD:

60. Reflection on learning you have gained from being involved in a 'critical incident' and

61. Reflection on learning gained through the experience of new tasks.

62. You will be able to count as CPD the learning which came from something that went wrong or taking part in a new activity.

63. In summary then, CPD requirements can be fulfilled in one of 2 ways:

Planned or  
Unplanned

64. To help you reflect and plan CPD relevant to you, we have developed the Reflection and Planning tool and a reference document called the 'Competency Framework'.

65. The information below explains how you can use these tools.

### **The Reflection and Planning Document and the Competency Framework**

66. The first part of the CPD cycle is reflection on your practice to identify your training and development needs. This is followed by a plan as to how you will meet these needs

67. You should start your reflection as soon as possible after 1 October 2013.

68. The Reflection and Planning document is designed to help you to identify the areas in which you want to refresh and develop your competence and professionalism as a member of CILEx. You should plan and record **at least 3** intended learning outcomes at this stage. By the end of the CPD year, you should have completed **at least 5 activities**.

69. The document contains a number of questions to help you to reflect on your current practice and to identify some areas for development. Although you can use your own process to reflect and plan your CPD, the document provided has been designed to help with the process through the questions it asks. It will be your evidence of your reflection and planning if your CPD records are called for sampling.

70. If you have an annual appraisal at work, you may have already agreed some areas for development with your employer. These should be included on your planning document. Alternatively, your appraisal form may suffice as your planning document.

71. Your plan should mirror the areas identified for reflection.

72. We recognise that plans made at the beginning of the year may change during the course of the year perhaps because you have changed roles. This is fine. You should simply refocus your plan to reflect the changes with a note as to why you have changed the original plan.

73. One question in the document asks you to refer to the Competency Framework for CILEx members. The framework has been developed to provide a statement of the minimum knowledge, experience and skills we expect new Fellows to have. The framework has been divided into 8 competencies and sets out the learning outcomes that new applicants

for Fellowship will be required to achieve. They have been developed to provide an objective assessment of applications for Fellowship. **The document is for your reference only.** We do not expect you to take part in CPD activities in every area outlined within the document. It is simply to help you to identify gaps in your knowledge and skills against expected standards that you may then address through CPD.

74. Once you have identified your areas for development and written these on the form as learning outcomes to be completed over the CPD year, you can include them on your development plan.
75. The first entry is for 'Professionalism'. This is a compulsory element of the CPD scheme. More guidance on this element can be found on page 23.
76. We do not stipulate what activities can count as CPD, provided you undertake a **range** of CPD throughout the year. This refers both to the type of CPD you undertake and also to its content.
77. You should plan at least 3 intended outcomes of development activity at the beginning of the year, professionalism is a planned activity. At the end of the year you are required to record at least 9 outcomes which you have achieved through CPD. At least 5 of these entries should come from planned CPD. You may undertake and log more than 9 outcomes, but you may not carry these forward to the next CPD year. We recognise that the planned activities may change throughout the course of the CPD year, for instance, where the focus of your role has changed towards a different area of practice. If this happens, you can review your plan and change the outcomes which you intend to achieve.

### **The Evaluation of Activity document**

78. You should complete this document (or make an equivalent record of evaluation of the CPD activity and how far it met your outcome) for each planned activity that you participate in. It asks you to consider a series of questions and then provide a paragraph which evaluates the usefulness to you of the CPD undertaken. It assists with your continued reflection throughout the CPD process.
79. You may find that you have not met your objective from this activity, so you may want to plan further CPD, adding it to your plan as a new outcome.
80. You should keep supporting documentation which evidences your completion and evaluation of the CPD activity. We will need to see this evidence if your record is chosen for sampling. Supporting evidence includes a record of participation at a CPD event or reference to reading

material used for research etc. Your evidence should be kept for 2 years following the end of the CPD year in which the CPD was undertaken.

### **Recording and Evaluating Unplanned CPD**

81. We recognise that there are situations where you will identify a learning need unexpectedly. This may come from a matter you are dealing with for example, where you come across new law or as a result of a 'critical incident' where something has gone wrong. It will not include last minute courses which become available to you (this will count as planned CPD).
82. This unexpected activity still counts towards your CPD for the year. Where this happens you should complete an 'Evaluating Unplanned Activity Document'.
83. The Evaluating Unplanned Activity document asks you to log the activity and reflect on what you have learnt from the experience. In addition it asks how this learning will change your future practice. Finally it asks you to think about whether others may also learn from your activity and, if they would benefit from your experience, how you could share that with others.

### **How much CPD?**

84. You should identify a number of learning outcomes and record these as 'outcomes' on your CPD record (see pages 17-18). You must list at least **9 outcomes** on your CPD record. These can come from either planned activities or unplanned activities, provided at least 5 come from planned activities and 1 outcome is on the subject of professionalism.

### **Recording CPD activity each year**

85. The documents set out above, once completed, should help you to progress through all of the phases of the CPD activity. Please keep them as evidence of your professional development. Documents should be kept for at least 2 years after the end of the CPD year in which the activities were undertaken in case your records are called in for sampling.
86. By 30 September you should summarise your learning outcomes in the CPD Record and submit this through 'MyCILEx'.
87. Your CPD Record is your declaration that you have completed the required amount of CPD. It follows a format similar to the previous annual CPD return which you completed on MyCILEx.

88. For each of the entries you should include the following information:

**Learning Outcome:** for planned activity. This information will be included on your plan. Where the activity was unplanned you should give an outline of the activity you undertook as included in the Evaluating Unplanned Activities Document.

**Completed by:** (for planned activities only) you should give the date that you expect to have completed the activity. The final column asks for the date that you actually completed the activity.

**Learning outcome achieved?** (for planned activities only) You should give a yes/no answer here. The information to answer this question can be found on your Evaluation of Activity Document.

**Relevance:** You should provide a short statement indicating why the activity is relevant both to your area of practice and to your own work. You should also say how you can or will be able to use what you have learnt.

### **Monitoring compliance with the scheme**

89. IPS, as with other regulatory bodies, is responsible for ensuring that the register of members includes only those who are currently competent. CPD is one of a number of methods by which the regulator can ensure this on-going competence.

90. As with the previous CPD scheme, the new scheme is compulsory for all members of CILEx in the Associate, Graduate, Associate Prosecutor, Legal Accounts Executive, Legal Accounts Member and Fellowship grades. However, in a change from the previous requirements, if you are unable to undertake CPD because you are away from work for more than 6 months of the CPD year, you should undertake a 'Returners to Work' scheme within 2 months of the date of your return, or provide other evidence of having kept up to date with changes to the law and legal practice. This could include participating in 'Keep in Touch' days if offered by your employer.

91. If you believe you will be unable to meet the CPD requirements by 30 September, you may apply for an extension of time. The request must be made no later than 31 August and must include an explanation of the circumstances which have prevented you from meeting the CPD requirements. You should also include an action plan which demonstrates how you will comply with the requirements by 31 December.

92. A compulsory scheme assists the regulator (IPS) in ensuring minimum standards of competence are maintained by you as a member. There will be sanctions where you do not comply with the scheme. Failure to comply with the scheme will result in suspension of your Practising Certificate and may result in disciplinary action being taken against you.

93. Each year a sample of records will be undertaken to ensure compliance with the scheme and a further sample of members will be interviewed about their CPD. Selection for interview will either be random, because there is a query or concern with the log which can be resolved by interview.
94. In addition to the random sample, a further sample, chosen on the basis of risk of non-compliance, will be reviewed by IPS. This could be because the member has a history of non-compliance with CPD requirements or where CPD if it had been undertaken could have prevented the disciplinary action from being taken against a member.

## **Sampling**

95. IPS will check that every member has completed and returned a CPD record.
96. In addition, IPS will conduct a random sample of 2.5% for each grade of membership.
97. If you are selected for sampling you will be asked to provide additional records, i.e. the Reflection and Planning Document, all Planned Activity Documents, all Unplanned Activity Documents and the accompanying Evaluation Documents (or equivalent records).
98. IPS recommends that you keep a CPD portfolio in which this documentation and any other supporting evidence can be kept in case your record is called for sampling. You should keep these documents for a minimum of 2 years, but it may be prudent to keep your record for 5 years.
99. Of this sample, 10% of members will be contacted by telephone to have a further discussion about CPD activity with a member of IPS' staff. Calls may either be random or where IPS has concerns about the CPD entries.
100. Where sampling identifies an issue with your record, your CPD activities will be monitored in subsequent years. An audit may also be carried out on individuals who have been subject to disciplinary proceedings.

## **Members working outside legal practice**

101. If you are currently working outside legal practice you will be required to complete CPD in the normal way.

## **Self-employed members**

102. If you are self-employed, whether providing legal services or otherwise, you will be required to complete CPD in the normal way.

### **Retired members**

103. If you are retired, you are exempt from the requirement to complete any CPD.

### **Legal Accounts Executives**

104. If you are a Legal Accounts Executive, whether a Chartered Legal Executive or not, you are required to undertake CPD in the same way as a Fellow.

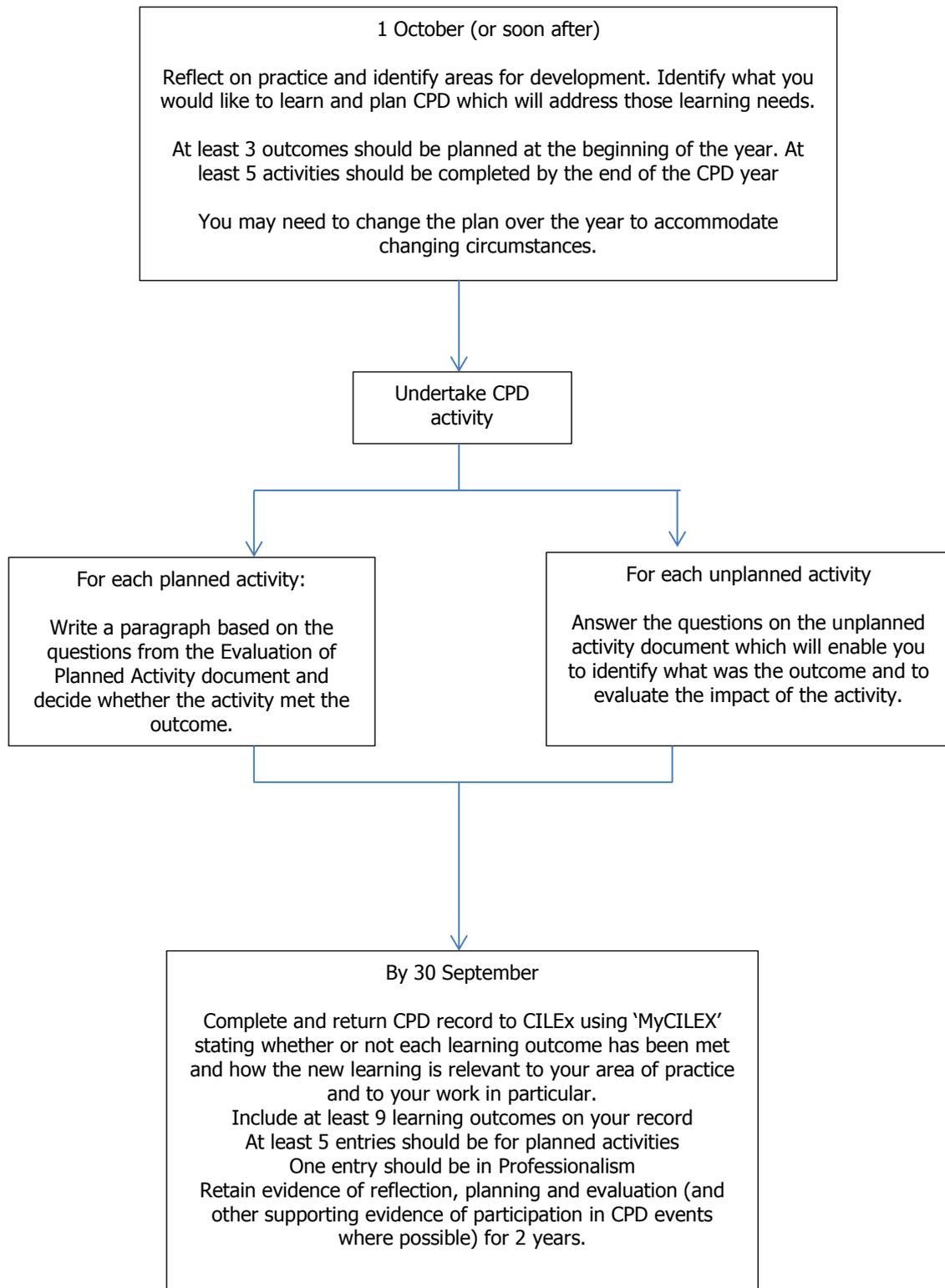
### **Legal Accounts Members**

105. If you are a Legal Accounts Member, you are required to undertake CPD in the same way as a Graduate.

### **Members required to undertake CPD with other professional bodies**

106. CILEx recognises that you may be members of other legal professional bodies, such as the Law Society or the Council for Licensed Conveyancers. These bodies have their own continuing professional development schemes. It is possible for you to 'double count' CPD completed through that body towards completion of the CILEx CPD obligations, provided all the conditions of the CILEx scheme are met. The CILEx CPD year need not coincide with those of other professional bodies. However, members must fulfil the CILEx requirements within each CILEx CPD year.

## Diagram of process



## Reflection and Planning

This document has been provided to help you to reflect on your work and to identify areas for you to develop through the course of the CPD year.

The first part of the process is to identify your CPD goals for this year.

To help with this process, you should answer the following questions:

1. What is your primary area of practice? \_\_\_\_\_
2. Do you have a secondary area of practice? \_\_\_\_\_
3. Is there an area of practice that you would like to develop? \_\_\_\_\_

Having identified the areas of practice that you are interested in, for each identified area consider the following elements and think about how they may help you to develop in your practice areas:

### Legal Knowledge

- Recent legislative developments and their impact on your practice
- Recent developments in case law and their impact on your practice
- Recent industry developments and how they affect your practice
- Changes in or new procedural rules and administrative regulations which govern the area you have identified
- Overview of practice competencies and issues relevant to the area you have identified
- Advanced issues and practice techniques in the area you have identified

### Do you need to develop any of these legal practice skills?

- Advocacy (oral and/or written)
- ADR
- Client communication
- Drafting documents
- Legal research
- Negotiation

- Practice Management and Accounts
- Time management
- Business development
- IT skills
- Factual investigation
- Interviewing skills

### **What type of CPD?**

You should now think about the type(s) of CPD you would like to participate in (identified through use of the above lists) and how effectively they will meet your training needs. There is no prescribed list of CPD activities at CILEx, but this may provide you with some ideas as to how you could meet your training and development needs which you have identified above.

- Doing CILEx Law School Updates
- Reading and considering relevant Journal articles
- Attending courses, conferences and seminars
- Distance learning courses
- In house training supplied by employer
- Academic or professional study
- Production of a dissertation
- Research of a legal topic
- Preparation and delivery of training courses
- Work shadowing
- Coaching or mentoring
- Participation in the development of law through Committee or Working Group activity
- Writing on law or practice

## Other skills

In addition to undertaking CPD to maintain and develop your knowledge and skills in law and legal practice, there are other skills which are important to your practice.

You may want to consider the following methods which may help you to identify CPD for this year.

- Ask clients/colleagues for informal feedback on your practice and performance and identify development areas from their responses
- Consider your strengths and weaknesses (review your appraisal if you have one) and identify ways in which you can improve your overall performance as a lawyer
- Think about your communication skills with clients and other professionals and identify how you could improve in getting your messages across.
- Could improving IT skills help you to provide a more effective and efficient service to clients?
- How well do you manage stress? Could effective workload management, techniques or training etc. improve this?
- Would learning more about your client's business help you to provide a more effective service?
- Review the Competence Framework: are there any areas which you would like to develop?

## Next Steps

Having identified some areas for development and methods for achieving them, you should now set some goals for this CPD year, including a timescale for completion by completing the plan below.

<b>Area to develop/goal – from the above reflection</b>	<b>Planned activity (type of activity to meet the intended outcome)</b>	<b>Date to complete</b>	<b>Learning outcome (what you intend to learn from the activity)</b>
Professionalism			


## Evaluation of Activity

### Evaluating planned activity

For each planned activity that you undertake as part of your annual CPD, you should consider the following questions and use these to write a short statement which evaluates the relevance of the activity to your area of practice:

1. What was the activity?
2. What was the learning outcome?(i.e. what did you learn from the activity)
3. How is this activity relevant to your practice?
4. How far did the activity meet your intended development needs?
5. If you have already used this learning in practice, how have you done this?
6. If you have not yet applied the learning in practice, how do you expect to?
7. If the activity did not meet your identified learning outcome, can you plan further CPD to meet this need? If yes, you can add this to your CPD plan.

## Evaluating unplanned activities

In addition to your planned activities, you may also undertake activities in the course of your work which are not planned but nonetheless will have a positive impact on your work. These activities may arise from something that has gone wrong (e.g. a critical incident which arose in a matter you were handling), as a result of peer review, conversations with colleagues or from feedback received from clients/service users.

When including unplanned learning as part of your annual CPD obligations you should record the following information:

8. What happened?

9. What did I do and what did I learn?

10. Can I share this? How?

11. If you have already used this learning in practice, how have you done this?

12. If you have not yet applied the learning in practice, how do you envisage the learning will be helpful to your practice?

**CPD Record – for submission to CILEx by 30 September 20\_\_ as a record of CPD undertaken for the CPD year.**

**Name:** \_\_\_\_\_ **Membership No.** \_\_\_\_\_

**CPD Year 1 October 20\_\_ to 30 September 20\_\_**

**Specialism:** \_\_\_\_\_

<b>Area for reflection</b>	<b>Learning outcome</b>	<b>Planned activity</b>  <b>Y/N</b>	<b>To be completed by</b>  <b>(date)</b>	<b>Learning outcome achieved?</b>  <b>Y/N</b>	<b>Relevance to your work</b> (state relevance to your area of practice and to your own work)	<b>Activity completed</b>  <b>(date)</b>
<b>Professionalism</b>						


**Minimum no. of learning outcomes required:**

**All Grades = Professionalism (1 entry) + 8 other entries**

*At least 5 activities should be planned. Any other activities can be either planned or unplanned. The number of outcomes is a minimum and is intended as a guide to the amount of CPD with which you should be engaged through the CPD year, to provide evidence of professionalism and on-going competence.*

## Competency Framework (CPD)

This document is a **reference document** only. It is designed to help you to reflect on your work and plan CPD activities which are relevant to you as a Chartered Legal Executive

The core competencies for a practising Chartered Legal Executive fall under the following headings:

1. Practical application of the law and legal practice
2. Communication skills
3. Client relations
4. Management of workload
5. Business awareness
6. Professional conduct
7. Self-awareness and development
8. Working with others

### **1. Practical application of the law and legal practice**

#### 1.1. Apply the law to the matter.

- Knowledge and understanding of the specialist area of law
- Identification of how the law applies to the matter
- Application of the law to the matter

#### 1.2. Apply the relevant legal procedure to a matter

- Knowledge and understanding of the specialist area of legal procedure
- Identification of the correct legal procedure for the matter
- Application of the correct legal procedure to the matter

#### 1.3. Identify and deal with the issues arising in a matter

- Analyse the matter to determine the legal, evidential and factual issues
- Identify the relevant issues
- Determine how to deal with the relevant issues
- Take the appropriate action

#### 1.4. Undertake legal research

- Understand the need for thorough investigation of all relevant factual and legal issues involved in a matter
- Knowledge and understanding of research methods (both documentary and electronic)
- Identify situations in which research is needed
- Locate appropriate sources

- Ability to locate appropriate sources and undertake systematic and comprehensive legal research
- Present and apply the findings of the research to the matter

## **2. Communication skills**

### 2.1. Communicate legal issues using appropriate methods

- Identify the most suitable means of communication with the parties/organisations involved in the matter

### 2.2. Use suitable language in communication

- Ability to use clear, concise, accurate and unambiguous language in communication both orally and in writing
- Demonstrate suitable professional practice, politeness and respect
- Adapt style of communication to the recipient
- Accurately record interviews, advice given orally, decisions made by the client and any follow up steps. Where appropriate, confirm instructions in writing

### 2.3. Address all issues in communication

- Identify and address all relevant factual, legal or evidential arising
- Apply the relevant law and legal procedure issues appropriately and accurately in communication

### 2.4. Seek appropriate information through communication

- Understand how to conduct an effective interview using appropriate planning, preparation and identification of objectives
- Understand how to use appropriate questioning which elicits relevant information, client concerns, anticipates client concerns and has clear outcomes
- Ability to use appropriate interaction with the client to establish a professional relationship

### 2.5. Represent a client through effective use of communication and other skills

- Identify the interests of the client/service user
- Identify appropriate communication skills to represent the interests of the client/service user
- Make effective use of the identified communication skills to adequately represent the interests of the client/service user
- Using professional skills and knowledge , evaluate next steps/further decisions to be taken

### **3. Client relations**

#### 3.1. Identify and understand a client's or service user's position

- Identify through effective communication the client's/service user's position including financial, professional and personal priorities
- Demonstrate understanding of the client's/service user's position
- Apply this information to the matter to ensure appropriate representation of the client/service user

#### 3.2. Take accurate instructions relating to a legal matter from clients or service users

- Knowledge and understanding of effective methods of eliciting information
- Ability to utilise these methods to take accurate instructions from the client/service user
- Confirm understanding of instructions with client to ensure it is correct

#### 3.3. Provide clear legal advice to clients or service users

- Advise the client/service user on the matter in which instructed, including any action which will be taken in representation

#### 3.4. Evaluate the risks, costs and benefits or alternative courses of action

- Evaluate information, arguments, assumptions and concepts
- Identify a range of options open to the client/service user
- Evaluate the merits and risks of solutions
- Assess which option would be the most appropriate course of action for the client/service user
- Communicate that information to the client/service user.

#### 3.5. Take action to deal with instructions received

- Evaluate the information provided in relation to the law and legal procedure
- Identify the appropriate action in response to the client's/service user's instructions
- Provide evidence of the action taken

#### 3.6. Manage a client's or service user's expectations

- Identify the needs, objectives and priorities of the client/service user

- Consider these in light of what is possible and use this analysis to manage the expectations of the client/service user
- Understand that it is not always possible to meet client/service user expectations and needs

#### **4. Management of workload**

##### 4.1. Progress matters expeditiously

- Knowledge of workload and deadlines
- Management of workload to ensure no unnecessary delays in the progress of legal matters

##### 4.2. Plan your workload and deliver a good legal service to clients or service users

- Identify tasks to be undertaken in a matter
- Plan and prioritise workload
- Assess realistic timescales for completion of tasks
- Manage all files and tasks concurrently
- Apply resources efficiently
- Identify situations when additional help may be required and seek that help

##### 4.3. Maintain files and records in accordance with procedures

- Knowledge and understanding of filing and business systems including databases and accounting methods
- Knowledge and understanding of the use of technology to store, retrieve and analyse information
- Appropriate maintenance and update of both paper and online systems in accordance with established procedures
- Ensure financial transactions are processed in accordance with rules and procedures
- Ensure all data is processed and kept with due regard to information security

#### **5. Business awareness**

##### 5.1. Demonstrate an understanding of the business environment of a legal practice or organisation

- Knowledge and understanding of the business and legal environment worked in
- Knowledge and understanding of the aims and objectives of the practice or organisation worked in
- Promotion, through work and actions, of those aims and objectives

5.2. Evaluate the risks, costs and benefits of alternative courses of action to the business

- Evaluate the merits and risks of courses of action to the business

## **6. Professional Conduct**

6.1. Apply the rules of professional conduct appropriately to relevant situations

- Knowledge and understanding of the most recent CILEx Code of Conduct and any other applicable conduct rules
- Understand that a CLE may only act when competent to do so
- Identify appropriate rules which apply to the matter, including any ethical matters
- Identify appropriate conduct for the matter

6.2. Provide appropriate information to clients and service users

- Knowledge and understanding of the information which must be supplied to clients/service users
- Ensure a client care letter is issued to clients/service users
- Ensure a complaints handling information is issued to clients/service users
- Ensure the client/service user is supplied with appropriate information about cost.

6.3. Understand the need to avoid discrimination and promote equality and diversity

- Knowledge and understanding of the law relating to discrimination
- Knowledge and understanding of equality and diversity issues
- Ability to identify issues of culture, disability and diversity
- Demonstrate respect for a range of attitudes and beliefs

## **7. Self-awareness and development**

7.1. Evaluate your professional skills and legal knowledge

- Ability to reflect on legal knowledge and understanding
- Identify gaps in that knowledge
- Identify strategies to fill the gaps
- Act to consolidate and extend legal knowledge and understanding
- Ability to reflect on professional skills
- Identify strengths and weaknesses in working practice
- Identify possible solutions to address any areas of weakness

- Choose the most appropriate solution and carry it out
- Reflect on how the solution has impacted on working practice and decide next steps

#### 7.2. Understand the limitations of your professional skills and knowledge

- Knowledge and understanding of own professional skills and knowledge
- Identify limits of competence
- Act only within that competence

### **8. Working with others**

#### 8.1. Establish effective working relationships with others involved in a legal matter

- Understand that effective working relationships include the client/service user, the other party involved in the matter, third parties from whom information is sought and other legal professionals
- Deal with these parties with respect and professionalism

#### 8.2. Demonstrate ability to select and provide appropriate information to others as required by law

- Knowledge and understanding of information which can (or cannot) be disclosed to others by law
- Identify information which can be disclosed to others in the matter and which cannot
- Act within these limitations

## FREQUENTLY ASKED QUESTIONS

### **Can I use my appraisal from work to list my planned activities, as areas for development are highlighted within it?**

Yes, absolutely. The areas for development identified in your appraisal are very relevant to the CPD scheme. You will have identified these areas in conjunction with your employer to enable you to develop your skills, both in the context of personal development and development beneficial to your employer. These will be planned activities, based on reflection of your current and future practice. It is not 'cheating' to use these forms as you have already reflected on your current work in order to identify CPD activities.

The forms have been developed to assist with the process of reflection, planning and evaluation – they are not intended to be prescriptive. If the forms you use in the workplace demonstrate that you are reflecting on practice to identify areas for development, there is no need to repeat this on the IPS forms, you can simply submit as evidence, the forms you have used at work. You can use any other form of documentation, provided if your record is called for sample you can produce evidence of having gone through this process. Similarly, if you already evaluate the effectiveness of the development activities you undertake for your employer after completion of CPD activities, you can submit these evaluations. There is no need to duplicate the information onto the IPS designed forms.

### **I have to plan my CPD in October, what if my circumstances change and I need to do different CPD before the end of the pilot?**

This is no problem. You can undertake different CPD from that planned in October, where this has been undertaken as a result of a change in your circumstances. The Reflection and Planning document is not normally lodged with IPS in the CPD cycle, so you will be able to make amendments to the plan throughout the CPD year. However, this record should be retained for 2 years following the end of the CPD year as some records will be sampled each year.

### **What are unplanned activities?**

Unplanned activities are a record of learning which you have encountered unexpectedly as part of your work. This could be a new area of law or practice for example, or it may arise as a result of something which has gone wrong, such as an IT failure or issues with file management.

Taking part in a course or similar activity available at short notice is not unplanned activity. It is planned activity and can be added to your CPD plan.

An unplanned activity is anything which requires you to learn something new (or refresh your knowledge) for a matter that you are working on at the time. A planned activity will be any activity where you are learning information proactively – it may be used soon after you undertake the activity, but equally it may be information that you may not need until sometime later.

### **Why has the CPD year changed?**

IPS has changed the CPD year to ensure that we can work with members who may not have recorded their CPD on time as soon as possible and thereby minimise the risk that there will be CILEx members practising without a valid practising certificate.

### **How can sharing my learning experience with others count as CPD?**

In sharing your learning experience with others, you may find out more information; either through researching the information before you share the information, or from feedback you receive through sharing the information with others.

### **What if I am on maternity leave or sick?**

The exemption once available for members who were away from work for more than 6 months in a CPD year has been removed. If you are on maternity leave or are away from work for any other reason for more than 6 months, you will be able to either:

- Undertake the required CPD activities
- Undertake a 'returners to work' course

### **What if I can't complete my CPD within the CPD year?**

Usually, IPS would expect that you would complete your CPD within the CPD year. However, there may be circumstances where this is not possible. In such cases you should contact the IPS Offices to discuss your situation.

### **Do I have to use the Competency Framework to plan my CPD?**

No. The Competency Framework is a document for your reference only. It has been developed to define what IPS means by a newly qualified Fellow. However, it may be helpful to you when considering whether you may want to develop or enhance any of the skills listed in the framework.

## **What is an 'outcome' or 'learning outcome' and how do I write one?**

When you plan CPD activity, you do so to gain some benefit from taking part in that activity. The outcome or learning outcome from a CPD activity will be what you expect to gain from or get out of taking part in the activity.

When writing an outcome or learning outcome, you will say what you expect to be able to do or will have learnt after you have completed the activity.

Ask yourself why you have chosen this particular activity? Is it to develop new knowledge? Do you want to understand a new or unfamiliar area of practice? Will the CPD help you to better plan your workload in future? etc.

There are some examples of learning outcomes available at ... *[these will be drafted once the application has been submitted to the LSB]*.

## **What is the difference between a CPD activity and an outcome?**

The outcome or learning outcome is the benefit you have got out of participation in the CPD.

The activity is the type of CPD which you have undertaken in order to achieve the learning outcome.

For example, you may want to know what the recent legislative developments mean in relation to bail hearings. 'Develop knowledge and understanding of the legislative changes which affect bail hearings' will be the learning outcome.

You may attend a course which covers the matter or access a webinar – these would be the CPD activities.

Each year, you should achieve a minimum of 9 learning outcomes from your CPD. You may undertake and record more than 9 outcomes, but you may not carry these forward to the next CPD year. You may get more than one outcome from an activity – equally you may have to do a number of activities in order to address the learning outcome. In the above example you may need to attend the course and read a number of articles on the issue before you consider you have met the outcome.

## **Why do I need to keep documentation if I only have to submit the CPD record?**

We will be sampling CPD records to ensure compliance with the scheme. We will look for evidence that you have reflected, planned and evaluated your CPD activities.

You may demonstrate this through completion of the provided documentation or through the provision of any other documentation which demonstrates that you have completed the reflection, planning and evaluation elements of the new scheme. Where possible you should also keep any documentation which demonstrates that you have completed the activity.

These documents should be kept for 2 years after the end of the CPD year, in case you are chosen for sampling.

### **What will count as Professionalism CPD?**

This is CPD designed to enhance your knowledge and skills in one of a range of areas which would be considered to be associated with being a professional. This may include for example; equality and diversity training, client communication skills, ethics etc.