

## Learning and development sample policy

All of our lawyers (i.e. fee earning staff and any other legally qualified individuals) must:

- satisfy their relevant regulatory Continuous Professional Development (CPD) requirements;
- **undertake [12] hours per year as a minimum on maintaining and developing their specialist areas of legal expertise**<sup>1</sup> / **[In accordance with the requirements of our Specialist Quality Mark (SQM), each caseworker each supervisor is required to maintain and extend technical legal knowledge to a minimum of 6 hours per year (or equivalent for part-time staff) in the area of law being supervised.]**;
- **undertake [3] hours per year as a minimum on developing their risk and compliance knowledge and skills**<sup>2</sup>;
- keep a record of the professional development activities undertaken by **recording this in your personal development log**<sup>3</sup> / **recording this on our central log**<sup>4</sup>.

### Maintaining competence

From 1 November 2016 the requirement for solicitors to undertake a set number of hours of CPD training **will be / has been** replaced with a requirement to reflect upon your work and address identified learning and development needs. Solicitors are required to make an annual declaration in this respect along the lines of the following:

*"I have reflected on my practice and addressed any identified learning and development needs."*

In order to meet the SRA requirement to deliver competent services and to train individuals to maintain competence<sup>5</sup>, we require our lawyers to:

- **reflect** upon their work during the year in order to identify future CPD activities (and make a record of this as part of our appraisal process);

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<sup>1</sup> Note that this is not a formal regulatory requirement under SRA rules but may be a helpful benchmark to enforce internally to ensure a base level of ongoing CPD. For firms working to the SQM standard there is however an expectation that in each 12-month period, every caseworker member of staff receives a minimum of six hours' CPD training, of which 50% (or 100% for crime caseworkers) relates directly to the relevant category of law.

<sup>2</sup> Note that this is not a formal regulatory requirement but may be a helpful benchmark to enforce internally to ensure a base level of ongoing CPD.

<sup>3</sup> Free [template](#) development plans and development logs are available from the SRA and the [Compliance Office](#) provides online software for a simple means of recording this information.

<sup>4</sup> Template logs are available in the accompanying spreadsheet or via our online register software.

<sup>5</sup> Outcome 1.5

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- **plan** their CPD activity at the year end for the year ahead (and again keep a record of this as part of our appraisal process);
- **record attendance and evaluate** how effective each CPD activity has been in achieving the goals set at the start of the year (and keep a record of this).

We have sought to adopt a consistent approach in this respect for all of our lawyers but it should be stressed that non-solicitors must ensure that they modify their approach where necessary to satisfy their regulator's requirements. [For example, the Bar Standards Board currently require barristers' to retain evidence of attendance at training in addition to a record of having attended on their CPD card.]

All lawyers have continuous professional development needs, even if it is simply staying up to date with changes in the law and regulatory obligations. As part of the year end appraisal process fee earning staff must complete a CPD plan<sup>6</sup>.

### *Reflection*

When completing your CPD plan you should think about what training or work you can do over the coming year to maintain a high standard of legal expertise and skills and / or improve any weaker areas. You might also want to consider if there are areas of law where you could develop further expertise to improve our ability to offer a range of services to our clients (without ever straying beyond our abilities).

You should discuss with your line manager as part of the appraisal process whether there are any particular areas where your line manager feels that you would benefit from training or other development activity. You should also consider reviewing client feedback, complaints or claims in your area these.

You might also find it helpful to consider the SRA's [competence statement](#) in which the SRA sets the standard which it expects lawyers to be able to meet in terms of maintain professional standards. The statement encompasses much more than knowledge of the law including ethics, compliance, client care, research skills, drafting skills, negotiating skills, advocacy, working with other people and time management. The accompanying [threshold standard](#) provides some examples of performance falling below the required standard (Levels 1 and 2) and the performance expected for more senior lawyers (Levels 4 and 5). You should therefore think beyond legal expertise and managers should reflect in particular on how they could improve as a manager.

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Finally, we as a business will from time to time specify certain training and development activities which we wish all staff members or certain parts of the business to undertake. This should be incorporated into your CPD plan.

### *CPD Planning*

Having thought about the areas where you would like to focus your CPD activity for the coming year, staff should set this out in the CPD Plan. This is not fixed in anyway but should reflect broadly how you propose to develop and stay up to date during the year ahead. CPD could include:

- training courses;
- research and reading, such as monthly updates or specialist publications;
- discussion with colleagues;
- mentoring;
- networking;
- observing;
- coaching;
- secondments;
- file reviews.

Typically the CPD Plan will include the more formal activities planned for the year but staff are encouraged to record as much development activity as practicable as the year goes on.

If you would like to attend an external training course which incurs a cost then you should **seek authority from your line manager / send a training request form to our HR team**.

### *Record attendance and evaluate*

After completing any CPD activity you should record **in a CPD log**:

- the type of CPD activity undertaken;
- the date;
- what topics or areas were covered;
- how the CPD activity will contribute to your work and maintaining / enhancing your knowledge or skills.

The progress made in terms of the training and development goals set should be kept under review informally throughout the year but also more formally as part of the mid-year and end-of-year review. If you consider that your CPD activity is not achieving the goals

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set for development then review and if necessary revise your CPD plan for the remainder of the year. It must be remembered that ultimately solicitors will need to sign a declaration at the end of the practising year to confirm that any identified learning and development needs have been addressed. While it would be unusual for an isolated failure to complete a particular CPD activity effectively to compromise professional competency, if you are concerned that you may not be in a position to make the necessary declaration then you must inform **[your line manager / our COLP]** immediately.

In order to maintain oversight of completion of CPD activities **[we provide a central CPD log system where your individual records are stored / we ask line managers to sign off completion of your CPD plan at the year end].**

### Management training

The SRA no longer sets mandatory management training requirements for all solicitors. However, as firm we do need to ensure that:

- we have at least one lawyer in our business who is 'qualified to supervise'. Namely, a lawyer who has over three years experience practising within the last 10 years and has in the past completed at least 12 hours of learning in management skills;
- all of our managers fulfil the SRA requirements to maintain competence and supervise our work appropriately and have the proper experience and training to do so.

**[We do not set prescriptive requirements for training our managers but broadly speaking we expect managers to attend periodic training to improve management skills and HR issues.] [For publicly funded work we will of course comply with our contract obligations for supervision and training.]**

### Core training

All staff, regardless of background or qualification, must go through:

- a core induction training programme<sup>7</sup> when they first join us; and
- a rolling programme of risk, compliance and standards training throughout their time with us.

### Lexcel requirements

In addition, in accordance with Lexcel requirements:

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<sup>7</sup> Our compliance logs include a suggested core training programme / rolling programme of training.

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- all non fee-earning staff are similarly required to reflect upon their work and plan and record development activity with input from their line managers;
- a training evaluation form will be sent to you for each formal training activity undertaken in the firm and this should be returned to **[HR]** as soon as possible;
- the learning and development section of our handbook will be reviewed annually by our **[Training Officer]**.

Owner:		Created:	
Last amended:		Last approved by:	
Last reviewed:		Last reviewed by:	

### **How to use this document**

*We hope that you find this sample from our template risk and compliance manual helpful. The full manual is available to purchase from our website. Remember that all policies, processes and logs are there for you to tailor to your needs. Your compliance systems should suit your business and seek to help not hinder you and your team. The precise standards and processes which are put in place will vary from business to business. Sole traders can obviously afford to have much simpler processes in terms of staff standards than set out here. Very large firms may find that they need to have more sophisticated arrangements in place in some areas.*

*We provide hands-on support for those wishing to implement compliance systems so don't hesitate to contact us via the website ([www.complianceoffice.co.uk](http://www.complianceoffice.co.uk)) if you need some help putting this manual into practice. We also provide firm-wide online training via website.*

*Please take care where appropriate in implementing these policies in the context of HR / employment law implications (including if seeking some of the information suggested in this manual from staff), health and safety, information security and other legal requirements. Specialist advice is recommended.*

### **Lexcel, CQS and SQM**

*The majority of this manual is based upon good practice and SRA requirements. However, where we have made additions to the manual primarily in order to meet requirements of the **Lexcel** or **Specialist Quality Mark** standards we have coloured the entries in green and orange respectively. The majority of the **Conveyancing Quality Scheme** requirements are covered by the Lexcel provisions but some additional suggestions appear in blue in this respect.*

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