

✓ the compliance office.

All staff compliance training guide

In this guide we set out the staff training your team is likely to need in order to meet SRA requirements. Our focus in this guide is on firm-wide training on the day-to-day requirements for running an ethical and compliant firm (not, for example, health and safety requirements). Line managers and partners will in practice need to have a greater awareness of some of the broader requirements around publicity, referral arrangements and supervision of work.

In some areas the SRA has expressly said that staff training will generally be expected. In others staff training and development is the most practical means by which the requirements can be met. In addition the partners of a firm have some pretty hefty burdens placed upon them in terms of ‘ensuring’ that staff understand and stay up to date with their compliance duties:

- the partners must “ensure” compliance by the employees of the firm (8.1 [Authorisation Rules](#));
- the firm must have “suitable arrangements in place” to ensure compliance by employees (8.2 [Authorisation Rules](#)). Unsurprisingly SRA guidance indicates that this should include “appropriate systems for supporting the development and training of staff” on the regulatory requirements; and
- firms must train staff to “maintain a level of competence appropriate to their work and level of responsibility” (O7.6 [Code of Conduct](#)).

In the tables below we’ve set out the areas where most firms should be training their staff with these duties in mind. We have also set out why we think training is sensible. This is designed to help you form your own view and tailor any programme of training you adopt to your needs.

We hope that you find this guide helpful. We offer an online package of firm-wide training for the ‘conduct’ training below and in-person packages for both the conduct and non-conduct tables below. Our training packs include compliance checklists, precedent policies, procedures and forms. Together with our free quarterly compliance updates, the packages offer a complete toolkit for ensuring firm-wide compliance in a particular area. Visit our [website](#) for sample training videos, checklists, updates and our precedent indexes.

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Conduct training for all fee-earning staff

Subject	Why train your lawyers on this?	How often?
Ethics and SRA Principles	Misapplication or misunderstanding of broad core principles such as ‘act in best interests of client’ is one of the main reasons firms end up at the Solicitors Disciplinary Tribunal (SDT). Consider training staff on how the principles have been applied in the SDT and the High Court.	Induction and 2-3 yearly
Conflicts of interest	Indicative behaviour 3.1 of the SRA Code of Conduct indicates that firms should train staff “to identify and assess potential conflicts of interests”. Even the most well-resourced firms and experienced lawyers can get caught out in this tricky area. Operating without periodic training here appears to be quite high risk therefore.	Induction and 2-3 yearly
Confidentiality and Data Protection	Training on how to keep information safe (encryption, use of personal email accounts, locking papers away on the go and at home etc) under the Data Protection Act is expected by the Information Commissioner. There is an overlap here in terms of the duties around confidentiality, which includes some often overlooked implications and detail day-to-day.	Induction and 2-3 yearly
Undertakings	It is easy for staff to inadvertently give an undertaking or to word one incorrectly. The result for the firm can be significant. Sound understanding of undertakings is therefore very important.	Induction and 2-3 yearly
SRA reporting requirements	A relatively new but important set of conduct requirements which many law firm staff will not be familiar with. Staff have an obligation to report certain matters to the SRA, though it appears that the reports can be made via the COLP.	Induction and 2-3 yearly
Court duties	Staff undertaking any level of work with a Court or Tribunal need to be familiar with SRA rules and quite far reaching guidance on litigator and advocate’s duties.	Induction and 2-3 yearly
Client care and risk	Depending upon the level of discretion permitted to staff in the client care and risk management procedures firms may want to train staff on basic client care and risk management conduct rules.	Induction and 2-3 yearly

Non-conduct training for all fee-earning staff

Subject	Why train your lawyers on this?	How often?
SRA Accounts Rules	Along with the principles, accounts rule breaches are the most common reason why lawyers get referred to the SDT. The rules are prescriptive and any fee earner can easily make a mistake. There are some key areas which all staff should be trained upon periodically.	Induction and periodically thereafter
Equality and diversity	Indicative behaviour 2.2 indicates that firms should train staff on “complying with equality and diversity requirements”. Operating without periodic training appears high risk therefore.	Induction and 2-3 yearly
Complaints handling	The SRA and the Legal Ombudsman require some quite specific behaviours from staff when handling a complaint. Good complaint handling can also be great for business.	Induction and 2-3 yearly
Bribery Act	The general indications are that in order to meet their obligations under the Bribery Act firms should be training staff on what is expected of them.	Induction and 3 yearly
Money Laundering and proceeds of crime	For most firms staff training will be mandatory under the Money Laundering regulations. Staff should be trained on the proceeds of crime and terrorism funding requirements in order to comply with that legislation too. For some firms mortgage fraud will be a particularly high-risk area and merit some specific consideration as part of the session.	Induction and 2 yearly
Financial services	Qualified staff will have received training on what sort of financial services firms can and cannot provide. Others will not though and will need to understand where the parameters are. There have been some changes recently though in the area of consumer credit regulation.	Induction and 3 yearly
Data Protection Act	As well as training on confidentiality and keeping information safe the Information Commissioner expects staff to be trained on handling subject access requests and good data processing.	Induction and 2-3 yearly