

Draft CPD handbook

Introduction

1. ILEX Professional Standards Ltd (IPS) is the regulatory body for Chartered Legal Executives and other members of The Chartered Institute of Legal Executives (CILEx).
2. This handbook provides you with guidance on the continuing professional development (CPD) requirements for CILEx members in the Associate, Graduate, Associate Prosecutor and Fellowship grades.
3. This handbook has been designed to provide you with advice on what IPS means by CPD and to ensure you have all the information you need to meet your CPD requirements. In addition the handbook includes master copies of the documentation which you must complete each year and some reference material which may assist you with planning your CPD activities.

What is CPD?

4. IPS has defined CPD as:

'The maintenance, improvement and extension of the professional skills and personal qualities necessary for the execution of professional and legal duties and compliance with the standards required by IPS, of CILEx members throughout their working lives to ensure that consumers and the public remain confident in the professionalism and competence of CILEx members.'

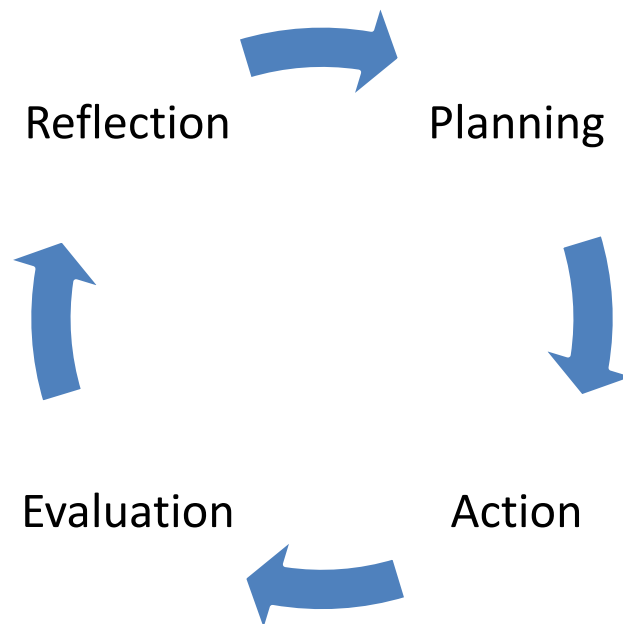
Why is CPD important?

5. IPS considers CPD to be important for a number of reasons:
 - Maintenance and improvement of your on-going competence and professional performance.
 - Protection of the consumer and the public through demonstration of your on-going competence and professionalism
 - Raising the reputation of both the professional body and members.
 - Raising demand to enter and remain in the profession

How will CPD be measured?

6. IPS has given careful consideration to the ways in which CPD may be measured and has adopted a scheme which it believes will provide the best evidence of your on-going competence and professionalism.

7. CPD can be measured in a number of ways including the use of either 'inputs' or 'outputs'.
8. An 'inputs' based scheme will set a minimum hours or points that you must undertake each year. Whilst this ensures that you engage with CPD there is no method to ensure that the activities undertaken are relevant to your practice and no measurement of how they contribute to competence.
9. An 'outputs' based scheme is more likely to ensure that your CPD activity is relevant to the maintenance and development your of competence. It asks you to identify what development is necessary for your work and later to consider what you have learnt from your CPD. One method of measuring 'outputs' is to ask you to **reflect** on your working practice, **plan** activities which will maintain, improve or extend knowledge and skills, **act** through participation in CPD activities and **evaluate** the impact on your work of the activities you have undertaken.



10. You are a specialist lawyer, and it is important that any CPD activity in which you participate is relevant to your area of practice. As such a CPD scheme based on 'outputs' is attractive.
11. However, IPS' research has suggested that a scheme which is purely based on 'outputs' is difficult for regulators to measure as their quantification can be problematic.
12. As a result the IPS CPD scheme is an 'outputs' based scheme which contains some 'inputs' elements. This allows for a scheme in which you can reflect on your work and create an annual CPD plan which is

relevant to your practice whilst maintaining an element of quantified activity.

13. IPS has decided that this 'inputs' element will be 9 entries on your CPD record.

What activities will count as CPD?

14. IPS does not specify an exhaustive list of activities which will count as CPD, provided you undertake a range of CPD throughout the year. A non-exhaustive list of appropriate activities includes:

- ITC Updates
- Relevant Journal articles
- 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

15. In addition, the new scheme recognises:

- learning gained from being involved in a 'critical incident' and
- learning through the experience of new tasks.

This means that you may count as CPD, the learning which came from something that went wrong or taking part in a new activity.

Recording your CPD

16. IPS recognises that sometimes learning will begin with the reflection phase and at other times with the action phase (for instance when reacting to an event or critical incident). At whichever point your learning has started, you must always complete the evaluation phase.

Planned CPD

17. This is CPD which starts at the reflection phase of the process and at least 3 of your CPD activities should start here.

18. To help you with the process of reflection and planning CPD relevant to you, IPS has developed a number of tools (the Reflection Document, the Personal Development Plan and the Planned Activity Document) and a reference document called the 'Competency Framework'. How you should use these tools is set out below.

The Reflection Document and Competency Framework

19. You should complete this document in October each year.
20. The 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 in the CPD year. It is recommended that you identify 5 areas at this stage. You should include at least 3 activities in this part of the process.
21. The document contains a number of questions to help you with this exercise. If you have an annual appraisal, this may help you with this part of the process as it may have already identified some areas for your development.
22. The second question in the document asks you to refer to the Competency Framework for CILEx members. This is for your reference only. It is not intended that you would take part in CPD activities in every area outlined within the document. It is simply a tool that you can use to identify gaps in your knowledge and skills that you may then address through CPD.
23. IPS considers it important that the CPD you undertake throughout the year is relevant to your work. Questions 4 and 5 of the Reflection document ask you to consider how the areas you have identified as areas for development are relevant to your practice and, where they are not directly relevant, how they may help your career development. For example, you may be thinking about a new area of practice or developing management skills etc.

The Personal Development Plan (PDP)

24. Once you have identified areas to develop over the next 12 months, you should complete your Personal Development Plan (PDP).
25. On this document the first entry is for 'Ethics'. This is a compulsory element of the CILEx CPD scheme. If you are a Chartered Legal Executive Advocate, 2 further entries on advocacy skills is also compulsory under the scheme.
26. Using your Reflection Document to help you, you should now plan your CPD activities for the year.

27. IPS does not stipulate what activities will count as CPD as stated in paragraph 13, provided you undertake a range of CPD throughout the year.
28. Using www.sourcethecourse.co.uk may help you to locate a relevant course which is available and appropriate. However IPS does not accredit any course or website or guarantee the quality of courses.
29. You can use your PDP to ensure that you have completed your identified development for the CPD year.

The Planned Activity Document

30. You should complete a Planned Activity Document for each activity.
31. This document will look at the objectives you have set for the activity and relate these objectives back to your area of practice.
32. The document is designed to assess how far the activity met with your objectives, what you learnt from the activity and whether you have identified any further learning needs.
33. Before you start the CPD activity, you should complete questions 1 and 2. After you have completed the activity, you should complete question 3. If you have not met all of your objectives for the CPD, then you should also complete questions 4 and 5.
34. Where you find that not all of your objectives were met from this activity and as a result of that you have identified an additional learning need, you should include this in the 'follow up action' box and add it to your Personal Development Plan as a new entry.
35. You should keep any supporting documentation which evidences your completion of the CPD activity. If your CPD log is chosen for sampling, we will need to see this.

Unplanned CPD

36. This is CPD which starts at the action phase of the process and some of your 9 entries will start here. IPS recognises 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 it may be a result of a 'critical incident' (that is a learning point discovered as a result of something having gone wrong).

37. This unexpected activity still counts towards your CPD for the year. Where this happens you should complete an Unplanned Activity Document.

The Unplanned Activity Document

38. This 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.

Evaluating the benefits of your CPD

39. Whether your CPD activity was planned or unplanned, following the completion of every activity you should complete an Evaluation Document.

The Evaluation Document

40. This document is designed to help you to determine the relevance of your CPD, to consider how you will use what you have learnt from your CPD activity in your work and how this learning will be of benefit to others, whether that be the consumer, your colleagues or others.

Recording CPD activity each year

41. The documents set out above, which you have completed, help you to progress through all of the phases of the CPD activity. They should be kept by you as evidence of your learning. You may have to submit these to IPS, on request, for sampling.

42. Towards the end of the CPD year (or after each learning event whichever you prefer) you should summarise your activities onto the CPD Record and submit these to CILEx through 'MyILEX', available at www.cilex.org.uk. You should complete this on or before the 30 September each year.

CPD Record

43. Your CPD record is your declaration that you have completed the required amount of CPD each year.

44. Your record should contain at least 9 entries (at least 5 of which should come from planned activities). You should include the following information:

- **Area for reflection:** this information should come from your Reflection Document. Where the activity was unplanned, this can be a short description of how you identified the learning point. This information will be included on your Unplanned Activity Document.
- **Learning Objective:** for planned activity. This information will be included on your Personal Development Plan. Where the activity was unplanned you should give an outline of the activity you undertook as included in the Unplanned Activity 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 Planned Activity Document.
- **Relevance:** answers to this part of the record should be drawn from your Evaluation Documents. You should provide a short statement indicating how relevant you judged the activity to be and how you can use this in future.

Monitoring compliance with the scheme

45. 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.
46. As with the previous CPD scheme at CILEx, the new scheme is compulsory for all members of CILEx in the Associate, Graduate, Associate Prosecutor and Fellowship grades. However, in a change from the previous requirements, there will be no exemption from CPD where the member is not practising for a part of the CPD year.
47. A compulsory scheme assists the regulator (IPS) in ensuring minimum standards of competence are maintained by members. There will be sanctions for non-compliance.
48. Failure by members to comply with the scheme will result in suspension of the Practising Certificate and may result in disciplinary action being taken against members.
49. To ensure that there is sufficient time to consider fully the reasons for non-compliance with CPD requirements prior to the suspension of the Practising Certificate, the CPD year runs from 1 October – 30 September.
50. 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.

Sampling

51. IPS will check that every member has completed and returned a CPD record.
52. In addition, IPS will conduct a random sample of 2.5% for each grade of membership.
53. If you are selected for sampling you will be asked to provide additional records, i.e. the Reflection Document, the Personal Development Plan, all Planned Activity Documents, all Unplanned Activity Documents and the accompanying Evaluation Documents.
54. 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.
55. 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.
56. 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.

Extensions to the CPD deadline

57. If you believe you will be unable to meet the CPD requirements by 30 September you may apply for an extension. A request for extension of the deadline must be made no later than 31 August. You must include an explanation of the circumstances which have prevented you from meeting your CPD requirements and an action plan which will enable you to comply with the requirement by 31 December.

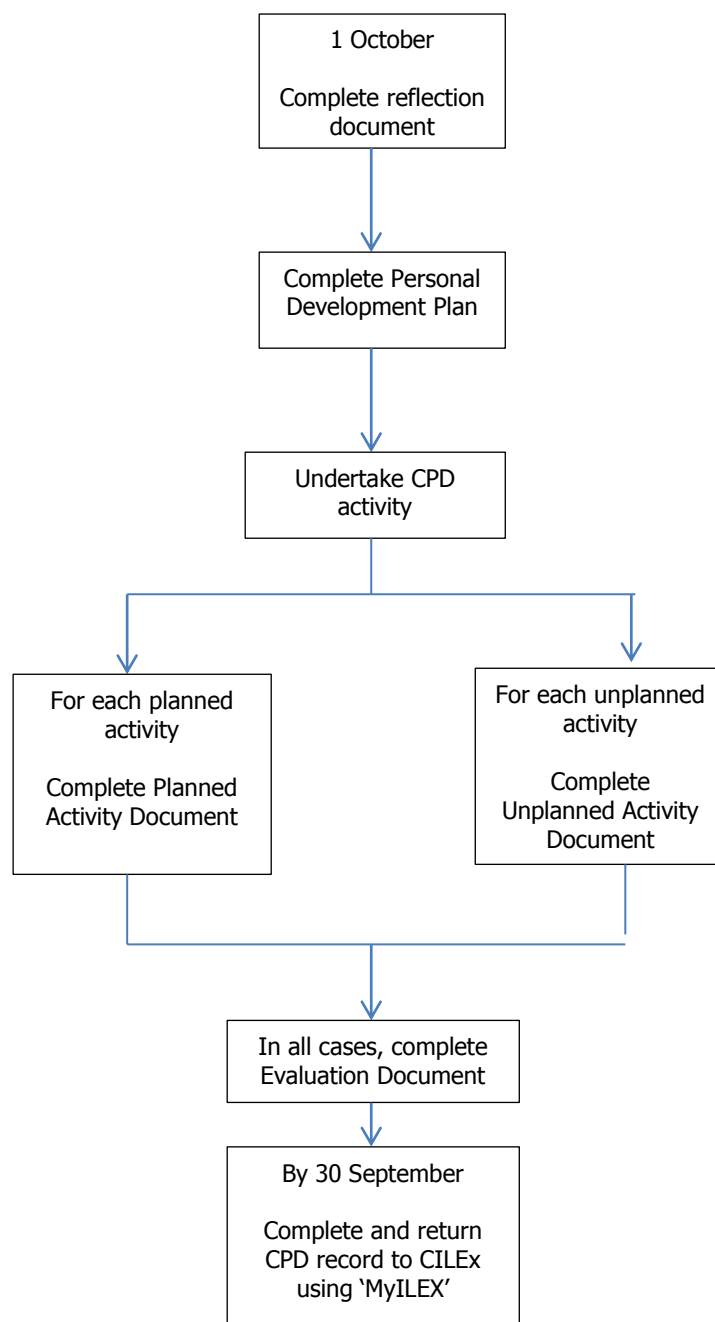
Additional Requirements for Advocacy

58. If you are also qualified as a Chartered Legal Executive Advocate or an Associate Prosecutor, you will be required to undertake 2 of your CPD entries in Advocacy Skills. This retains the existing CPD requirement.

The Proposed Work Based Learning Scheme

59. IPS is currently working on a new scheme for application for Fellowship, this is known as the Work Based learning scheme (WBL). WBL is currently being piloted and once implemented will require applicants to prepare a portfolio of work over 2 years.
60. Because of the commitment involved in the production of the portfolio, Graduate members of CILEx who have registered to work towards Fellowship through WBL, will only be required to take part in 5 planned CPD activities for the 2 year period in which they are working on their portfolio.

Diagram of process



REFLECTION DOCUMENT

Name: _____ **Membership No:** _____

This document is designed to help you identify areas which may help you to further develop your competence and professional performance. You could also use your annual appraisal document if you have one, to assist with this activity.

1. Have there been any recent changes to (or proposals to change) the law in which you specialise?

2. Take time to consider the competency framework document for Chartered Legal Executives. This is a reference document designed to help you identify possible areas for development. Are there any areas identified in this document where you would like to develop?

3. What other knowledge or skill, that you would like to develop over the next 12 months, do you consider may have a positive impact on your work?

4. How are the learning areas you have identified relevant to your specialist area of legal practice, if at all?

5. Where the activities do not relate directly to your area of practice, outline how these activities will help you in your work?

PERSONAL DEVELOPMENT PLAN

Name: _____ **Membership no.** _____

	Area identified for development	Activity identified – explain how the activity was selected	Date to be completed	Learning objectives – how will the activity address the area identified for development.
1.	Ethics			
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				

PLANNED ACTIVITY DOCUMENT

Name: _____ Membership No. _____

You should complete this form following every activity you have undertaken. You should keep this with evidence supporting your completion of the activity

Subject of activity: _____ Type of activity _____

Date undertaken: _____

1.	Area identified for your development	
2.	What are your objectives for the planned learning activity? Why is this activity relevant to your practice?	
3.	How far did the activity meet your objectives? What have you learnt from undertaking this activity?	

	How will you apply the learning to your work in future?	
4.	If the activity did not meet all your objectives, have you identified areas for further development?	
5.	What steps will you take to develop the areas not met by this CPD activity?	

Follow up action required: *(Consider questions 4 and 5 above to answer this)*

Please remember to include any follow up activity identified on your Personal Development Plan as a new activity.

UNPLANNED ACTIVITY DOCUMENT

It is recognised that sometimes you may undertake an activity which has not been planned but nonetheless has a positive impact on your work. This too may count as CPD and can be logged on this document and onto your CPD record.

Name:

Membership no.

Information to be included on this document may come from situations where something went wrong, from peer review or conversations with colleagues or from feedback from clients or service users.

Date	What happened?	What did I learn?	How will this change may future practice?	Can I share this? How?

EVALUATION DOCUMENT *This document should be completed whether the activity was planned or unplanned.*

Name: _____ **Membership no.** _____

Activity: _____ **Date undertaken:** _____

Relevance There are situations where you have selected an activity which once completed may not have been as relevant to your work as you expected, please complete the question below, rating the relevance of the activity from 1 to 5 where 1 is not relevant at all and 5 is completely relevant to your practice. _____

Give an example of how what you have learnt has been applied/ will be applied to future practice.

What have been/ will be the benefits of this learning in your practice? This could be benefits to you, your service users, colleagues or your workplace. If you have received feedback (formal or informal) you could include this too.

CPD RECORD – for submission to CILEx by 30 September as a record of CPD undertaken for the CPD year.

Name: _____ **Membership No.** _____

CPD Year 1 October 20 _____ **to 30 September 20** _____

Specialism: _____

Area for reflection	Learning objective (or activity where learning was unplanned)	Planned activity	To be completed by	Learning outcome achieved? Y/N	Relevance to member's work	Date completed
Ethics						

Minimum no. of entries required:

All Grades = Ethics (1 entry) + 8 other entries

Between 3 and 5 entries should be planned activities. The remainder of the activities can be either planned or unplanned. The number of entries is a minimum and is intended as a guide to the amount of CPD with which you should be engaged every 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. 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

4.2. Progress matters expeditiously

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

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. 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. Provide appropriate information to others

- 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