

CPD CONSULTATION – ANALYSIS OF RESPONSES

Q1: Do you agree that CILEx Regulation should make amendments to the CPD Regulations in order to ensure that all compulsory elements of the CPD scheme are contained in a single document?

Agree	Neither Agree nor Disagree	Disagree
25	2	

Q2: Do you agree that CILEx Regulation should make the amendments to the CPD handbook, in order to clarify the guidance in relation to the CPD scheme?

Agree	Neither Agree nor Disagree	Disagree
24	3	

Q3: Do you agree that the transitional arrangements should be removed from the CPD regulations?

Agree	Neither Agree nor Disagree	Disagree
21	6	

Q4: Do you have any other comments in relation to these proposals

- Why are the requirements stricter than those for solicitors?
- I believe the CPD requirements should be in line with solicitors' CPD requirements as this would make it so much easier within a firm that has to monitor and provide CPD training for solicitors and FCILEx
- Clarity is key, not that I think the current CPD requirements are particularly difficult to comprehend
- The amendments that have been made are clear and should be made, to give more clarity
- Personally, I prefer the old hourly scheme as it was straightforward to record and keep track of. As you are aware there is increasing pressure on professionals due to workloads expanding, chargeable hours increasing and client expectations rising, the new system just adds to this as it takes ages to record and complete especially when the guidelines last year were so unclear. I am still unsure to this day whether my CPD record was correct for last year!
- Could the guidance be summarised and could there be a shortcut to section B for Fellows rather than having to scroll through the guidance for Associates first.
- The changes previously implemented were unclear and difficult to follow. The proposed changes will provide the necessary clarity and simplified guidance.
- In new para 17 of the CPD handbook, it states; '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' (Regulation B2). This is entirely what I would expect. However, the new draft regulation B2 states; 'An individual member working outside legal practice is required to undertake the full CPD requirement hours, but if the individual is an Associate Member, they need not designate a specialist area. There does not appear to be anything in the Regulations to say that members of Grades other than Associate do not need to designate a specialist area. I believe (and hope) this is an omission as there does not seem to be any logic in requiring someone who

is not practising whatever their grade of membership to designate a specialist area. It may be that Associates have been specified in this paragraph because it is about hours-based CPD, but if that is the case I believe there should be a similar statement about other grades of non-practising member who are required to complete outcomes-based CPD.

- The Chartered Institute of Legal Executives did not provide responses to the individual questions. They did however provide the following feedback, which is summarised here:
 - Clarify the number of entries an Associate Prosecutor is required to undertake in relation to criminal practice
 - A suggestion to remove the requirement to undertake a Return to Work scheme from the regulations, as this may not always be possible or appropriate
 - Restructure the handbook for further clarity
 - Clarify how CILEx Regulation will record 'retired' status as a dispensation
 - Change the reference to the Legal Executive Journal to CILEx Journal
 - Change the reference to MyCILEx to myCILEx
 - Update the picture example to refer to CILEx Law School
 - References to outcomes and entries should not be interchangeable
 - Add 'Advocates' to B72
 - Amend the CPD exemption for newly qualified Advocates
 - Amend Section B75 to be consistent with A16

CILEx Regulation response to the consultation

1. CILEx Regulation is pleased that none of the respondents disagreed with the changes being made to the CPD regulations and handbook and that they generally agreed that the changes would increase clarity in relation to the regulations.
2. In relation to the specific points raised, CILEx Regulation responds as follows:

Comparison with the SRA CPD scheme and hours based schemes

3. The SRA CPD scheme for solicitors works in a similar way to the CILEx Regulation approach, in that it requires solicitors to reflect, plan, act and evaluate their CPD requirements each year in order to ensure that solicitors remain competent. There has been a move away from hours recording across the profession and CILEx Regulation does not intend to alter this position as we believe this provides better assurance of competence than simply completing a set number of hours each year.

Clarifications in relation to the requirement that Associates specify a specialist area

4. Although more senior members of CILEx are required to undertake the outcomes-based scheme, the Associate Members remain on an hours-based scheme, owing to the number of Associate Members who are studying for their Level 6 examinations. It is only the hours-based scheme which requires members to specify a specialist area. The outcomes-based scheme does not stipulate this, rather, it requires members to undertake all of their CPD in areas relevant to their area of practice. Therefore, members working outside of legal practice would not be required to continue with CPD in their specialist area as this would no longer be relevant to their practice. As such, no change is required to the regulations

Feedback from CILEx

5. The regulations will be amended to make this point as clear as possible, the requirement is for 9 outcomes, at least 1 in professionalism and at least 4 in criminal practice.
6. The suggestion to remove the 'Return to Work' scheme from the regulations is a sensible one. This will be removed and now will appear as guidance in the handbook.
7. These amendments are being made to remove the handbook from the regulatory arrangements, once this is complete, the handbook will be re-designed completely.
8. The comment in relation to retired members is not correct. This is an exemption based on the membership status and is recorded by CILEx as now. This is contained in the regulations at B4.
9. The CPD exemption for newly qualified Chartered Legal Executive Advocates meets the full CPD requirements for the CPD year and therefore the current drafting is correct.
10. Minor drafting changes will be made prior to submission

ANNEX 1: Respondents to the consultation

Name	Organisation
Michael H Stevens	CILEx Member
-	CILEx Member
Gerard Quine	CILEx Member
-	CILEx Member
Susan Haines	CILEx Member
Claire Abbott	CILEx Member
Jan Crookes	CILEx Member
Christopher Bairstow	CILEx Member
Lucy Marston	CILEx Member
Stephanie Hayward	CILEx Member
Pamela Dorrington	CILEx Member
Craig Tickner	CILEx Member
Julie Wain	CILEx Member
-	Unknown
-	CILEx Member
-	CILEx Member
-	CILEx Member
Fiona Toolan	CILEx Member
John Jones	CILEx Member
Michele Sherman	CILEx Member
-	CILEx Member
-	CILEx Member
-	CILEx Member
Kelly Young	CILEx Member
-	CILEx Member
Matteo Giacomini	CILEx Member
Brent Hill	CILEx Member
-	The Chartered Institute of Legal Executives