



# **ILEX work-based learning scheme**

## **Scheme handbook**

## **1) The benefits of work-based learning for ILEX employers and trainees**

The ILEX work-based learning scheme is the final step towards a trainee Legal Executive becoming a Fellow of ILEX. Upon successful completion of the scheme, a trainee Legal Executive can apply to become a Fellow of the Institute of Legal Executives, and use the initials FILEX in association with their name.

The ILEX work-based learning scheme replaces Qualifying Employment as the way in which trainees progress towards Fellowship of ILEX. Whilst the scheme does have specific requirements for both employers and trainees, there are potentially significant benefits that can be gained from both employer and trainee participation.

These can be summarised as follows:

- a) For employers, the scheme represents a structured and efficient way of developing employees towards their full business potential. In some cases, this will mean that employees realise fee-earning potential more swiftly and effectively; it may also mean that employees develop a broader and better understanding of the business which may mean they are better suited for progression and, in the longer term, more senior positions in the business. In other cases, it may simply mean that employees are better assisted in doing their current job role more effectively.
- b) For trainee Legal Executives, the scheme offers a way of organising workplace experience to best enable effective personal development within a legal business. The scheme enables an organised approach to workplace learning; it sets standards for career development and it offers the trainee Legal Executive a way of working together with their employer to best facilitate personal learning and development.

## **2) Introduction to the scheme**

- a) The ILEX work-based learning scheme replaces the current period of Qualifying Employment as the way in which trainees progress towards Fellowship of ILEX. The implementation arrangements that mark the phased withdrawal of qualifying employment and the introduction of ILEX work-based learning can be found in Appendix 6 of this document.
- b) The ILEX work-based learning scheme cannot be completed in a period of less than 3 years, 2 years of which must be after the completion of the trainee's achievement of the academic stage of ILEX qualification (ie the achievement of the ILEX Level 3 Professional Diploma in Law and Practice and the ILEX Level 6 Professional Higher Diploma in Law and Practice).

- c) A member of ILEX is expected to be undertaking work of a legal nature to meet the work-based learning outcomes. Work of a legal nature may include the following:
- Taking instructions from clients, acting upon those instructions in a legal context, for example, Conveyancing or Litigation work.
  - Progressing a client's matter from start to finish.
  - Dealing with the other party to a transaction, which may be, a litigation or conveyancing matter or dealing with interested parties in a transaction, which may be beneficiaries and executors to an estate.

The trainee must also be able to satisfy the requirements of the scheme through the kind of legal work they undertake.

- d) ILEX has developed a series of 7 work-based learning outcomes against which the trainee Legal Executive is expected to be competent by the point at which they conclude their 3 year period of work-based learning and fully enter into their professional role (see Appendix 1).
- e) For the duration of the scheme, and at regular intervals, the trainee is expected to keep a work diary that logs their work experiences against the required work-based learning competences (see Appendix 2). The trainee must log relevant and appropriate work experiences against each of the work-based learning outcomes before they can satisfactorily complete the ILEX work-based learning scheme.
- f) The trainee's employer must assist the trainee with the performance of the requirements of the scheme. The employer must meet regularly with the trainee to check the current and accurate recording of the work experiences. The employer must also finally confirm, at the end of the period of the scheme, that the trainee is competent against the work-based learning outcomes, and fit to be awarded Fellowship status of ILEX.
- g) The scheme anticipates that there will be different degrees of employer involvement with the scheme; some employers will wish to be involved with the planning, recording and evaluating of the experiences of their trainees, and other employers will not be able to be as involved. As a bare minimum, we require that employers use existing time with trainees (for activities such as review meetings and appraisals) to regularly verify and 'sign off' on their trainee's work diary, and that they act as final signatory for their trainee's overall application for Fellowship. Employers are under no formal obligation to undertake even this bare minimum requirement on behalf of their trainees. However, ILEX anticipates that employers will no doubt wish to assist in the professional development of their trainees in this basic way.
- h) Whilst the scheme is administered and structured by ILEX, it is not the case that ILEX requires employers to institute any external standard to assess or evaluate the diary statements made by trainees. The standard to be used by employers, as they check diary statements, is simply their own professional business standard. For example, a trainee who claims that they have communicated satisfactorily in writing with a client has only done so if the employer can vouch that this has happened and that the nature of the 'letter' that was written was, from the point of view of the business, of an acceptable business standard.

- i) Whilst ILEX will not, therefore, moderate or check the nature of the decisions made by employers in relation to the work of their trainees, it will monitor the quality of the diaries upon application for Fellowship in order that it may (a) influence the development of guidance for the scheme as it moves forward; (b) evaluate the overall success of the scheme. Where diaries are also inappropriately presented or have elements/documents omitted, ILEX reserves the right to return a submission to the trainee for further action.
- j) The trainee will only be permitted by ILEX to embark upon the scheme once they have successfully completed the Level 3 Professional Diploma in Law and Practice.
- k) The time served as a part of the scheme (ie 3 yrs) can be undertaken consecutively or non-consecutively. Where the time served is made up from a series of non-consecutive activities with different employers, it is important that the trainee ensures their 'final' employer has a full and complete record of activity undertaken in previous workplaces towards the scheme. This includes evidence of 'sign off' from previous employers that ensures that the activities performed and recorded for the work-based learning diary undertaken with a previous employer can be carried forward into the new employment, and count towards the overall requirement for trainees. Where a trainee has a previous employer(s) and their work-based learning diary has not been 'signed off' by that previous employer(s), then that experience cannot be used towards the completion of the overall requirement.

### **3) How the scheme works – scheme details**

This section deals with the detail of how the scheme works. It is written from both the point of view of the employer and the trainee to enable both parties to understand their respective responsibilities. It is also recommended that each party reads the other's section so that a full and rounded understanding of the requirements can be developed.

#### **a) Employer requirements**

You are expected to:

- Verify and 'sign off' on their trainee's work diaries;
- Act as final signatories for their trainee's overall Fellowship application

The trainee will, at regular intervals (usually work review and appraisal sessions), request 'sign off' of a diary entry(ies). It is your responsibility to check that the entry agrees with your understanding of the work done and its having being performed satisfactorily. The standard applied here is not an external one, but is simply one of whether the work done has met the professional standards required of it by the business.

The trainee will, subsequently, add each of the outcomes signed off in the diary entry to an 'Outcomes checklist grid' (Appendix 3) that they are required to keep. At the end of their 3 year term of work-based learning and when they have completed the required outcomes, they will bring you the 'ILEX work-based learning scheme completion form' (Appendix 4) along with the 'Outcomes checklist grid' and their Work-based

learning diaries for you to check and sign off. The 'Outcomes checklist grid' comprises a record of their diarised, signed off outcomes. Before you sign the scheme completion form, you must check or sample check that the trainee has met the requirements. The 'Outcomes checklist grid' summarises the requirements of the scheme and offers you a relatively straightforward way to check the accuracy of the trainee's claim for completion.

## **b) Trainee requirements**

Before undertaking the scheme, you must do the following preparatory tasks:

- Identify against the definitions above that your job role is suitable for the satisfaction of the scheme's requirements, eg, does it allow you to fully meet the breadth of the outcomes? Do you work at a level that enables you to perform tasks comparable with the requirements of the outcomes?
- Discuss with your employer the extent to which they will assist you with the organisation, planning and recording of the scheme requirements. Whilst some employers will assist with these activities, (and this is addressed fully in section 4), you should be aware that your employer is not required to assist you in any informal, day to day sense. Employers are only required by ILEX to perform two activities: firstly, verify and 'sign off' on their trainee's work diaries, and secondly, act as final signatories for their trainee's overall Fellowship application. For you to participate fully in the scheme, it is imperative that your employer is able to meet these requirements. If you anticipate any issues with this requirement, then you should contact ILEX.

Having established the suitability of your role and the participation of your employer, you must do the following:

- Plan the way in which you will use your current role to cover satisfactorily the work-based learning outcomes. You must do this, at regular intervals, and in relation to your objectives for the upcoming period. A sample work plan is available at Appendix 5 to assist you. It is important that you plan for the coverage of all the outcomes over the work-based learning period (they can be done in any order), that you diarise activity on three separate occasions for each outcome, and that you try and avoid duplication in relation to the outcomes you have already covered.
- Keep your work-based learning diary complete and up to date. You must get into the habit of doing 'small amounts and often' (see Appendix 2). Ensure that your diary notes are legible and easy to read. Ensure that if you have referred a work task to a number of outcomes that it is clear how the task achieved satisfies the outcomes.
- Get your employer to 'sign off' your diary as often as you can. Review meetings are the best forum for this as they are dedicated discussion time and mean that you are not requesting ad hoc time from your employer. Regularity also ensures that what you have done is fresh in the mind of your employer. Where lengthy gaps intervene between sign offs, then both employer and trainee can find it difficult to verify that an activity has taken place or has taken place in the way in which it is being claimed.

- Establish a regular pattern in relation to these sign offs. Ask your employer if a specific meeting/time can now always be the point at which they look at your diary and sign it off. The more you can achieve regularity in relation to sign off of the diary, the more your employer will get used to the process and the more you will get into the habit of completing it regularly.
- Explain to your employer the detail of the sign off process and exactly what it is that they are required to do. The employer is required to check that what you are saying you have done at work you have actually done, and that you have done it to a satisfactory standard. The standard referred to here is the employer's professional standard (not one imposed by ILEX) and, hence, if your employer is unhappy with what you are saying you have done then they have the right to ask you to go back and do a work task again or amend it in order to achieve the sign off.
- When planning workplace objectives and tasks, you must take into account, firstly, where you are in the cycle of your own professional development. The more experienced you are the more likely you are to be able to address the full breadth of the outcomes from the outset, and the pace of your work may be more rapid than a less experienced trainee for whom a number of the outcomes may, at the start, be difficult to achieve. However, if you are a less experienced trainee, then you may have to adopt a less open approach to the work and the outcomes, and a more incremental and planned approach. Where your employer anticipates that you will grow into a role over the course of the period of work-based learning, it should be the case that you adopt a more directed focus on the outcomes ensuring that more fundamental attributes are acquired before building up an emphasis on other things.

For eg, if you are inexperienced, then the initial focus must be on the secure identification and application of the law, its adequate communication and basic client care requirements, before the focus is extended to cover more sophisticated aspects of the way in which one can manage one's own workload, work optimally with others and understand issues around professional conduct. In this scenario, the purpose of your active self-awareness and self-development is continuous. Whilst fundamental to your progress through the outcomes mentioned, it is also the pinnacle of your professional development as it is the attribute that will best effect your autonomy as a Legal Executive and enable you to make meaningful and effective contributions to the organisation.

- To enable you to cover the outcomes appropriately, use the 'Outcomes checklist grid' (Appendix 3) so that you and your employer can see at a glance the coverage of the outcomes across time. ILEX requires the trainee (and not the employer) to use and maintain this grid as it is the main way in which your employer is required to verify your claim for completion of the overall scheme.
- At the end of the 3 year period and when you have completed the required outcomes, ask your employer to act as the final signatory for your application for Fellowship of ILEX. This act, which is no more than confirming all the other, smaller 'sign offs' undertaken at review, will be easier to perform where you and the employer have been in regular and meaningful contact.

You must take the 'ILEX work-based learning scheme completion form' (Appendix 4) along with the 'Outcomes checklist grid' and your Work-based learning diaries for your employer to check and sign off. The 'Outcomes checklist grid' will comprise a record of

your diarised, signed off outcomes. Before your employer signs the scheme completion form, he/she should check or sample check that you have met the requirements. The 'Outcomes checklist grid' summarises the requirements of the scheme and offers the employer a relatively straightforward way to check the accuracy of your claim for completion.

- In making a claim to ILEX for Fellowship, you are required to submit: (a) your Outcomes checklist grid, (b) all your diary entries and (c) your signed ILEX work-based learning scheme completion form. Before dispatch of these documents to ILEX, you should make copies of everything. ILEX cannot return documentation once it has been sent for consideration.

#### **4) Supporting the scheme in the workplace – a 'best practice' model**

Supporting the delivery of the ILEX work-based learning scheme in the workplace can and will take many forms. What follows is one 'best practice' model of delivery that employers might choose to use with their trainees. Again, what follows in this section is presented from the point of view of both employer and trainee. Both parties should read each section so that a full and rounded understanding of the roles can be developed.

##### **a) Employer role**

In this 'best practice' model, you must perform the following tasks:

- At the start of the 3 year period, and before discussing the scheme with a trainee, you must discuss internally the arrangements most appropriate to best support the progress of the trainee in relation to the scheme. In particular, the trainee must be supported by a designated 'supervisor' who could be the trainee's line manager, but who also may be a designated training officer (or even both). Organisations will develop practices that best suit their organisational structure, but the trainee must know the person(s) to whom they will be responsible for both elements of planning and reviewing work.
- At the start of the 3 year period, employer and trainee must discuss the contents of the scheme, the requirements and the way in which the scheme relates to the trainee's workplace and their job role. A work plan should be devised at this stage that will ensure that the trainee's objectives/activities in the workplace begin to meet the outcomes required. Appendix 5 shows an example of how a work plan might be constructed. Alternatively, you may choose to embed any work planning process into the business' existing appraisal system.

A work plan must look forward and plan the trainee's work for a period appropriate to the work and the trainee. This will often inevitably be for between 3–6 months. Outcomes can be undertaken in any order, and it is a requirement that the trainee undertakes work in relation to each outcome on 3 separate occasions. Ideally, tasks undertaken in relation to an outcome should be various and duplication should be avoided.

To enable both you and the trainee the ability to cover the outcomes appropriately, we have developed an Outcomes checklist grid (Appendix 3) so that you and the trainee can see at a glance the coverage of the outcomes across time. ILEX requires that the trainee (and not the employer) use and maintain this grid as it has an importance in ultimately establishing the overall accuracy and validity of the claim for completion.

- There must be regular progress meetings between you and the trainee to discuss planned work and its completion and to 'sign off' on any work that has been recorded as completed against the outcomes. This should happen once a month and become a small part of established regular update meetings between trainee and their supervisor.

It is important for the smooth-running of the scheme that these meetings are regular. 'Sign off' simply refers to the act of checking the work-based learning diary to see that the work recorded as 'completed satisfactorily' has, in fact, been completed satisfactorily. Sign off, as an activity, happens more smoothly when it is performed regularly and activity is both fresh in the mind and not confused by the passage of time. There is no ILEX-imposed criterion for 'sign off' – rather, it is simply the standard that the employer would expect an employee to meet in relation to the work task in question. Where the trainee does not complete satisfactorily a task that the trainee is claiming has been completed satisfactorily, then you are entitled to require the trainee to undertake that task again or amend it in order that they can claim that it has been completed satisfactorily. In this respect, the scheme is intended to follow the ebb and flow of work within the workplace between employer and employee.

You must review the work plan and set additional, new objectives for the trainee at the end of the work plan period. It is anticipated that employers may do this with trainees at least twice a year.

- When planning workplace objectives and tasks with trainees, it is important to take into account, firstly, where they are in the cycle of their own professional development. More experienced trainees may be able to address the full breadth of the outcomes from the outset, and the pace of their work may be more rapid than a less experienced trainee for whom a number of the outcomes may, at the start, be difficult to achieve. You may find that with less experienced trainees that you have to adopt a less open approach to the work and the outcomes, and a more incremental and directed approach. Where you anticipate that a trainee will grow into a role over the course of the period of work-based learning, you must adopt a more directed focus on the outcomes ensuring that more fundamental attributes are acquired before building up an emphasis on other things.

For eg, an inexperienced trainee should be required to initially focus on the secure identification and application of the law, its adequate communication and basic client care requirements, before the focus is extended to cover more sophisticated aspects of the way in which one can manage one's own workload, work optimally with others and understand issues around professional conduct. In this scenario, the purpose of the trainee's active self-awareness and self-development is continuous. Whilst fundamental to the progress of the trainee through the outcomes mentioned it is also the pinnacle of the trainee's professional development as it is the attribute that will best effect their autonomy as a Legal Executive and enable them to make meaningful and effective contributions to the organisation.



- At the end of the 3 year period, and when they have completed the required outcomes, you must act as the final signatory for the trainee's application for Fellowship of ILEX. This act, which is no more than confirming all the other, smaller 'sign offs' undertaken at review, will be easier to perform where the trainee and employer have been in regular and meaningful contact.

The trainee will bring you the 'ILEX work-based learning scheme completion form' (Appendix 4) along with the 'Outcomes checklist grid' and their Work-based learning diaries for you to check and sign off. The 'Outcomes checklist grid' comprises a record of their diarised, signed off outcomes. Before you sign the scheme completion form, you must check or sample check that the trainee has met the requirements. The 'Outcomes checklist grid' summarises the requirements of the scheme and offers you a relatively straightforward way to check the accuracy of the trainee's claim for completion.

## **b) Trainee role**

In this 'best practice' model, the trainee must perform the following tasks:

- At the start of the 3 year period, identify and clarify the arrangements within the organisation that will be used to support you through the process. Who will assist you with your work planning? Who will be your supervisor 'signing off' your diary entries?
- At the start of the 3 year period, you and your employer must discuss the contents of the scheme, the requirements and the way in which the scheme relates to your workplace and job role. A work plan must be devised at this stage that will ensure that your objectives/activities in the workplace begin to meet the outcomes required. Appendix 3 shows an example of how a work plan might be constructed. Alternatively, your employer may choose to embed any work planning process into the business' existing appraisal system.

A work plan must look forward and plan your work for an appropriate period. This will often inevitably be for between 3–6 months. Outcomes can be undertaken in any order, and it is best practice that you undertake work in relation to each outcome on 3 separate occasions. Tasks undertaken in relation to an outcome should be various and duplication should be avoided.

- Keep your work-based learning diary complete and up to date. Get into the habit of doing 'small amounts and often' (see Appendix 2). Ensure that your diary notes are legible and easy to read. Ensure that if you have referred a work task to a number of outcomes that it is clear how the task achieved satisfies the outcomes.
- There must be regular progress meetings between you and your employer to discuss planned work and its completion and to 'sign off' on any work that has been recorded as completed against the outcomes. It is anticipated that these might happen once a month and that they may become a small part of established regular update meetings between you and your supervisor.

It is important for the smooth-running of the scheme that these meetings are regular. 'Sign off' simply refers to the act of checking the work-based learning diary to see that the work recorded as 'completed satisfactorily' has, in fact, been completed satisfactorily. Sign off, as an activity, happens more smoothly when it is performed regularly and activity is both fresh in the mind and not confused by the passage of time. There is no ILEX-imposed criterion for 'sign off' – rather, it is simply the standard that the employer would expect you to meet in relation to the work task in question. Where you have not completed satisfactorily a task that you are claiming has been completed satisfactorily, then the employer is entitled to require you to undertake that task again or amend it in order that you can claim that it has been completed satisfactorily. In this respect, the scheme is intended to follow the ebb and flow of work within the workplace between yourself and the employer.

Your employer must review the work plan and set additional, new objectives for you at the end of the work plan period. It is anticipated that your employer may do this with you at least twice a year.

- When planning workplace objectives and tasks with your employer, it is important to take into account, firstly, where you are in the cycle of your own professional development. The more experienced you are the more likely you are to be able to address the full breadth of the outcomes from the outset, and the pace of your work may be more rapid than a less experienced trainee for whom a number of the outcomes may, at the start, be difficult to achieve. However, if you are a less experienced trainee, then your employer might have to adopt a less open approach to the work and the outcomes, and a more incremental and directed approach. Where your employer anticipates that you will grow into a role over the course of the period of work-based learning, they should adopt a more directed focus on the outcomes ensuring that more fundamental attributes are acquired before building up an emphasis on other things.

For eg, an inexperienced trainee should be required to initially focus on the secure identification and application of the law, its adequate communication and basic client care requirements, before the focus is extended to cover more sophisticated aspects of the way in which one can manage one's own workload, work optimally with others and understand issues around professional conduct. In this scenario, the purpose of the trainee's active self-awareness and self-development is continuous. Whilst fundamental to your progress through the outcomes mentioned, it is also the pinnacle of your professional development as it is the attribute that will best effect your autonomy as a Legal Executive and enable you to make meaningful and effective contributions to the organisation.

- To give you the ability to cover the outcomes appropriately, we have developed an 'Outcomes checklist grid' (Appendix 3) so that you and your employer can see at a glance the coverage of the outcomes across time. ILEX expects the trainee (and not the employer) to use and maintain this grid as it is the main way in which your employer may choose to verify your claim for completion of the overall scheme.
- At the end of the 3 year period, and when you have completed the required outcomes, the employer is required to act as the final signatory for the trainee's application for Fellowship of ILEX. It is anticipated that this act, which is no more than confirming all the

other, smaller 'sign offs' undertaken at review, will be easier to perform where you and the employer have been in regular and meaningful contact.

You should take the 'ILEX work-based learning scheme completion form' (Appendix 4) along with the 'Outcomes checklist grid' and your Work-based learning diaries for your employer to check and sign off. The 'Outcomes checklist grid' will comprise a record of your diarised, signed off outcomes. Before your employer signs the scheme completion form, they must check or sample check that you have met the requirements. The 'Outcomes checklist grid' summarises the requirements of the scheme and offers the employer a relatively straightforward way to check the accuracy of your claim for completion.

- In making a claim to ILEX for Fellowship, you are required to submit: (a) your Outcomes checklist grid, (b) all your diary entries and (c) your signed ILEX work-based learning scheme completion form. Before dispatch of these documents to ILEX, you should make copies of everything. ILEX cannot return documentation once it has been sent for consideration.

## **Appendix 1 – ILEX work-based learning outcomes**

The ILEX work-based learning outcomes are identified in the left hand column. Where the outcomes have required further guidance in their performance, we have added a guidance note in the right hand column.

## ILEX work-based learning outcomes

### Notes for trainees working towards their completion

- 1) You must be able to validly and reliably perform each of the 7 outcomes by the end of your period of work-based learning.
- 2) Each of the 7 outcomes can be satisfied at any point during the period of work-based learning and in any order.
- 3) You can satisfy any number of the outcomes in the performance of a task.
- 4) Whilst every care has been taken to ensure that the outcomes themselves are expressed plainly and clearly, the explanatory notes column below addresses those instances where further advice and guidance in how to interpret an outcome might be needed. Where an outcome is not necessarily self-evident we have attempted to provide illustrative examples of how it may be addressed.
- 5) You must record in your work-based learning diary your completion of each outcome on at least three occasions.
- 6) Where appropriate, you should identify tasks that are various and that enable you to satisfy the outcomes in a way that avoids duplication and demonstrates to your supervisor that there is strength in breadth in your work.
- 7) The style of your diary should be *illustrative* – in other words, you must identify examples of actual work (eg application of legal knowledge, client communication etc) and then illustrate the way in which the example chosen satisfies the objective in question. Each of the outcomes (with the exceptions identified below) can be understood in this way.

In relation to the outcome 'Management of workload', the emphasis is slightly different and is on illustrating your *approach* to the way in which your work is both planned and managed.

In relation to an outcome such as 'Self-awareness and development', the emphasis is quite different and is about your ability to reflect and identify strategies for your own development based upon the way in which specific tasks and approaches to work have been performed, planned for or managed. In this sense, this particular outcome builds and develops the content identified in relation to the other outcomes. One could say that the other outcomes are the *raw material* for this particular outcome. The column marked 'What I learnt from this task/is there room for improvement?' in the Work-based learning diary must be used for the satisfaction of these specific outcomes.

The style of your diary must not be simply *descriptive* (ie not spelling out the relevance of the examples cited as meeting the objectives) or *generic* (ie stated without reference to an example – eg 'When I write a client care letter I always adopt the following style of letter writing ...')

- 8) You must print out this document, discuss it with your employer and keep it in an accessible place for easy reference.

ILEX work-based learning outcome	Explanatory notes (where appropriate)
<p><b>1. Practical Application of the Law and Legal Practice</b></p> <p>By the end of the period of work-based learning, a member of ILEX must be able to:</p> <p>1.1 Identify the law and legal practice relevant to an issue or matter.</p> <p>1.2 Apply their knowledge and understanding of law and procedure to an issue or matter.</p> <p>1.3 Identify factual, legal and evidential issues in a case or transaction.</p> <p>1.4 Identify the strengths and weaknesses of a case.</p> <p>1.5 Keep up-to-date with changes in law and legal practice.</p> <p>1.6 Undertake legal research and apply it to a given case.</p>	<p>1.2 is about the way in which legal knowledge and understanding is 'used' or 'applied' in relation to an issue or matter.</p> <p>1.3 For a single case or transaction to be relevant to this outcome, it does not have to possess all 3 (ie factual, legal and evidential issues). You might need to identify a number of cases/transactions to ensure that you are confident of identifying each of these types of issue. You should ensure that you have identified each of the different issues on at least three occasions.</p> <p>1.6 This can be any instance where an appropriate legal source has been used by you to identify information relevant to a case. This does not necessarily need to be a sustained and complex piece of 'project research'.</p>
<p><b>2. Communication Skills</b></p> <p>By the end of the period of work-based learning, a member of ILEX must be able to:</p> <p>2.1 Communicate using appropriate methods, including written and oral communication techniques.</p>	<p>2.1 You must look to record at least 3 eggs of both written and oral communication.</p>

<p>2.2 Prepare effectively for communication.</p> <p>2.3 Use clear, concise and accurate unambiguous language in communication.</p> <p>2.4 Address all factual and legal issues in communication.</p> <p>2.5 Tailor the style of communication to suit the needs of the recipient.</p> <p>2.6 Elicit relevant information through effective questioning and listening techniques.</p> <p>2.7 Demonstrate appropriate professional practice in communication.</p> <p>2.8 Demonstrate sensitivity to diversity, vulnerability and disadvantage issues, and adapt their style and content accordingly.</p>	<p>2.2 This may include instances of drafting and planning written communications; it may include instances where you have sought the advice/sign off of a supervisor before initiating communication. The 3 chosen eggs should include written and oral communications.</p> <p>2.3 The communication style must be in keeping with the professional style of the organisation in which you work.</p> <p>2.5 This means that you must 'tailor' your oral and written communication to meet the demands of each situation. Where a situation requires tact, diplomacy, persuasion etc, then the relevant communication must display these attributes.</p> <p>2.6 This might be over the phone or in a face to face meeting situation.</p> <p>2.7 This might be in relation demonstrating that correct process has been followed, performing due diligence checks, remaining impartial, identifying conflicts of interest, setting out ethical issues for the client, ensuring that one remains within professional practice rules.</p> <p>2.8 This must be in relation to naturally-occurring situations and should be within the diversity guidelines identified within your organisation.</p>
<p><b>3. Client Relations</b></p> <p>By the end of the period of work-based learning, a member of ILEX must be able to:</p> <p>3.1 Develop a good relationship with clients or service users.</p>	<p>3.1 You must identify what makes a good relationship and how, in the eg in question, this good relationship was achieved.</p>

<p>3.2 Take accurate instructions from clients or service users.</p> <p>3.3 Identify and understand a client's or service user's needs, objectives and priorities.</p> <p>3.4 Provide clear advice to clients or service users outlining their options, next steps, progress towards their objectives and costs.</p> <p>3.5 Manage a client's or service user's expectations about likely outcomes.</p>	<p>3.3 For a single case or transaction to be relevant to this outcome, it does not have to possess all 3 (ie needs, objectives and priorities). You might need to identify a number of cases/transactions to ensure that you are confident of identifying each of these types of requirement. You must ensure that you have identified each of the different requirements (ie needs, objectives and priorities) on at least three occasions.</p> <p>3.4 For a single case or transaction to be relevant to this outcome, it does not have to possess all 4 (ie options, next steps, progress and costs). You might need to identify a number of cases/transactions to ensure that you are confident of identifying each of these types of requirement. You must ensure that you have identified each of the different requirements (ie options, next steps, progress and costs) on at least three occasions.</p>
<p><b>4. Management of Workload</b></p> <p>By the end of the period of work-based learning, a member of ILEX must be able to:</p> <p>4.1 Plan their workload to make best use of time and resources.</p>	<p>All diary entries for outcome 4 should focus on <i>how</i> you approached each aspect (eg, planning workload, prioritisation, progressing work, recording work accurately etc). Diary entries must be in relation to specific examples (eg, planning workload in relation to a specific period of work which may have specific demands).</p> <p>4.1 Diary entries for 4.1 must focus on <i>how</i> workload has been planned to make best use of time and resources. This may include reference to actual planning tools/techniques (eg project planning) or it may simply record the reasoning behind a specific approach towards planning a specific workload for a particular phase of work.</p>



<p>4.2 Prioritise and progress matters expeditiously.</p> <p>4.3 Record work accurately and to an appropriate level of detail.</p> <p>4.4 Maintain files and business systems, including accounting records, appropriately and have due regard to information security.</p> <p>4.5 Manage tasks concurrently.</p> <p>4.6 Make best use of available resources.</p> <p>4.7 Seek support where necessary.</p> <p>4.8 Understand the environment of a legal practice or organisation.</p>	<p>4.2 This is about <i>how</i> you prioritise and progress matters in your workload as effectively as possible. This must include references to specific aspects of your workload and how the demands of these (ie they may have been difficult to progress/prioritise) have been met.</p> <p>4.8 This is about how the culture of the workplace influences the way in which you manage your workload, ie about the extent to which the workplace culture both aids and/or hinders your ability to perform your role.</p>
<p><b>5. Professional Conduct</b></p> <p>By the end of the period of work-based learning, a member of ILEX must be able to:</p> <p>5.1 Apply the ILEX Code of Conduct and other applicable rules of conduct appropriately to relevant situations, and act accordingly.</p> <p>5.2 Identify and deal with ethical dilemmas effectively.</p> <p>5.3 Keep up to date with regulatory and ethical requirements.</p> <p>5.4 Report any failure to meet requirements to relevant stakeholders.</p>	<p>5.4 This may include both instances where requirements have not been met and have been reported, and efforts made to ensure that one's responsibilities in relation to professional</p>

<p>5.5 Provide appropriate complaints handling information to clients and service users.</p>	<p>conduct within the organisation are understood and current.</p>
<p><b>6. Self- Awareness and Development</b></p> <p>By the end of the period of work-based learning, a member of ILEX must be able to:</p> <p>6.1 Evaluate the strengths and weaknesses of their professional skills and knowledge.</p> <p>6.2 Understand and work within the limitations of their professional skills and knowledge.</p> <p>6.3 Develop and implement a plan to address any gaps in their knowledge, understanding and skills.</p> <p>6.4 Reflect on their experiences to help improve their performance in future.</p>	<p>The performance of each of these outcomes must relate to and comprise an assessment of the performance of the satisfaction of any number of the previous outcomes.</p> <p>Outcomes for 6 may be satisfied together in a sustained reflection on a specific work task, or individual outcomes for 6 may be satisfied in relation to a specific focus on an aspect of work performed.</p> <p>Each outcome must be covered 3 times.</p> <p>The column marked 'What I learnt from this task/is there room for improvement?' in the Work-based learning diary must be used for the satisfaction of these outcomes.</p>
<p><b>7. Working with Others</b></p> <p>By the end of the period of work-based learning, a member of ILEX must be able to:</p> <p>7.1 Work with others.</p> <p>7.2 Treat others with respect and professionalism.</p> <p>7.3 Demonstrate sensitivity to diversity, vulnerability and disadvantage issues.</p> <p>7.4 Provide appropriate information to others as required.</p>	<p>7.3 This must be in relation to naturally-occurring situations and must be within the diversity guidelines identified within your organisation.</p>

## **Appendix 2 – ILEX work-based learning diary**

## ILEX work-based learning diary



### Notes for trainees working towards its completion

- 1) Each of the headings for the diary must contain the following:
  - **Matter/case:** this must identify matter/case for which the work was undertaken and the individual in the organisation responsible for its resolution.
  - **Task:** this must precisely identify the task undertaken in relation to the matter/case. The task identified must be used to *illustrate* the satisfaction of the relevant objectives. An employer should be able to clearly identify the relationship between the task performed and the outcomes that are claimed as being satisfied by the task. The date when the task was started and concluded should also be included.
  - **Outcomes satisfied:** this must identify the numerical outcomes (eg, 1.2, 1.3 etc) you believe have been completed satisfactorily as a result of the work you have undertaken for this task.
  - **What I have learnt from this task/is there room for improvement?** This must summarise the necessary self-reflection that accompanies the performance of the task. As a rule, it is best practice that this column should always be completed even where the task is not specifically being evaluated as a part of outcome 6. Where it is being used to satisfy outcome 6, then care should be taken to indicate the relevant outcome in the 'Outcomes satisfied' column.
  - **Task completed satisfactorily:** this column must be completed by the employer with his/her initials and the date of sign off. Completion of this column by the employer means that they are agreeing that the task performed by the trainee satisfies the outcomes claimed.
- 2) You must save a blank copy of the document and complete it electronically for each task performed. It must be printed out and signed by the employer and then retained in a file until the end of the process. Diary entries must be numbered and dated as indicated, and kept in sequence.
- 3) Where you leave an employer before completing the mandatory work-based learning time period and wish your diary/experiences to be valid and count towards your completion of the scheme with your next employer, then you must ensure that your diary is up to date, and is signed and dated by your last employer. Incomplete diaries are not eligible for consideration by subsequent employers.

## ILEX work-based learning diary



Trainee's name: \_\_\_\_\_

Trainee's position (if different from previous entry): \_\_\_\_\_

Employer's name (if different from previous entry): \_\_\_\_\_

Supervisor's name (if different from previous entries): \_\_\_\_\_

Diary entry number:

<b>Matter/case</b>	<b>Task</b>	<b>Outcomes satisfied</b>	<b>What I learnt from this task/is there room for improvement?</b>	<b>Task completed satisfactorily</b>
<i>Eg Sale of 15 School Road, Kempston. John Smith, FILEX, responsible for the file.</i>	<i>Drafting of statement of completion for seller. The task was a good initial test of my understanding of the following aspects of conveyancing practice ...</i>  <i>Dates: 12/12/11 – 5/1/12</i>	<i>1.1, 2.1-4, 6.1-2</i>	<i>It was the first time I had completed a statement of completion, and I made some initial mistakes when ...</i>	<i>JR 20/1/12</i>

## **Appendix 3 – Outcomes checklist grid**

## Outcomes checklist grid



### Notes for trainees and employers using this outcome checklist grid as a planning tool

- 1) This use of this grid is a mandatory part of the scheme. It must be completed by trainees as an ongoing part of the review process.
- 2) Used in conjunction with the diary document (Appendix 2), this grid offers a reliable way to record and check up on the completion and coverage of outcomes, and can make it easier for employers and trainees to see clearly (a) whether the outcomes have been covered satisfactorily on the required number of occasions, and (b) where the gaps are in relation to further coverage. It must be used upon completion of the scheme by the employer for their final check of whether the trainee has completed satisfactorily all outcomes in the required way. It must be consulted prior to completion of the ILEX Work-based learning scheme completion form (Appendix 4).
- 3) The 'Diary entry' columns refer to the numerical diary entries of Appendix 2. Where the outcomes from these entries are recorded against the 'Outcomes' column a pattern emerges over time of achievement across each of the outcomes. Over time, each row can be read off and either the gaps in coverage identified or the satisfactory completion of all the outcomes concluded.
- 4) For employers using the grid in order to finally sign off a trainee, you must, at least, check that:
  - the trainee has addressed each outcome at least 3 times;
  - the trainee's diary entries are complete and cover the outcomes indicated in the grid.

You must, at least, perform a sample check on a number of the grid entries and cross reference these to the diary entries.

## Outcomes checklist grid



Trainee's name: \_\_\_\_\_

<b>Outcomes</b>	<b>Diary entry</b> —	<b>Diary entry</b> —	<b>Diary entry</b> —	<b>Diary entry</b> —	<b>Diary entry</b> —	<b>Diary entry</b> —	<b>Diary entry</b> —	<b>Diary entry</b> —	<b>Diary entry</b> —	<b>Diary entry</b> —	<b>Diary entry</b> —	<b>Diary entry</b> —	<b>Diary entry</b> —
1.1													
1.2													
1.3													
1.4													
1.5													
1.6													
2.1													
2.2													
2.3													
2.4													
2.5													
2.6													
2.7													
2.8													



<b>3.1</b>													
<b>3.2</b>													
<b>3.3</b>													
<b>3.4</b>													
<b>3.5</b>													
<b>4.1</b>													
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<b>5.4</b>													
<b>5.5</b>													
<b>6.1</b>													
<b>6.2</b>													

<b>6.3</b>													
<b>6.4</b>													
<b>7.1</b>													
<b>7.2</b>													
<b>7.3</b>													
<b>7.4</b>													

## **Appendix 4 – ILEX work-based learning scheme completion form**

## ILEX work-based learning scheme completion form



### Notes for the use of the form for trainees and employers

- 1) Employers must use this form to confirm that their ILEX trainee has met all of the relevant requirements for the ILEX work-based learning scheme, and that they can now go on to be admitted to Fellowship of ILEX.
- 2) Trainees must recognise that without this form being signed by their current employer that they cannot apply for Fellowship of ILEX.
- 3) Before signing the form and performing this confirmation, it is important that employers perform, at least, the bare minimum checks identified in the 'Outcomes check list grid' (Appendix 3).
- 4) When employers are ready to confirm the completion of the work-based learning period, then they must read the statement below and then sign and date in the space beneath it. The form should be returned to the trainee with both the Outcomes checklist grid and the trainee's diary entries. This form plus copies of the Outcomes checklist grid and the trainee's diary entries must be sent to ILEX upon a claim for Fellowship.

### To be completed by the employer

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Company name: \_\_\_\_\_

### Statement confirming satisfactory completion of the ILEX work-based learning period:

I confirm that \_\_\_\_\_ (name of trainee) has satisfactorily met all the ILEX work-based learning outcomes and is now fit to be admitted to Fellowship of ILEX.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

## **Appendix 5 – An example of a work plan for trainees**

## ILEX work-based learning work plan



### Notes for trainees and employers using this work plan as a planning template

- 1) This use of this plan is not a mandatory part of the scheme. Where employers use their own planning tools, then this example of a possible structure for a plan may be disregarded.
- 2) The plan can be used either solely by the trainee or in conjunction with the employer to plan work tasks/work objectives across a period (3–6 months). Use of the plan ensures that the trainee (and the employer) can identify work-based learning outcomes as targets in relation to tasks, and, hence, plan for their overall completion over the period of work-based learning.
- 3) The final two columns address ‘planned’ achievement and ‘actual’ achievement. The final column, therefore, offers a direct link into the work-based learning diary in terms of the outcomes achieved.
- 4) The ‘Notes and assumptions’ column is designed to record any practical comments in relation to specific tasks set, but it should also be the place where any outcomes not achieved and the reasons for the non-achievement could be recorded.

**Trainee:** \_\_\_\_\_

**Plan no:** \_\_\_\_\_

**Supervisor’s name:** \_\_\_\_\_

**Plan from** \_\_\_\_\_ **to** \_\_\_\_\_

Task/objective	For whom?	Deadline(s)	Notes and assumptions	Work-based learning outcomes to be covered by task	Work-based learning outcomes achieved

## **Appendix 6 - Implementation arrangements for ILEX's work-based learning scheme**



## Implementation arrangements for ILEX's work-based learning scheme

### 1) Background

ILEX's new work-based learning scheme replaces its current qualifying employment period. This document explains the planned way in which ILEX intends to withdraw the current model of qualifying employment and replace it with the ILEX work-based learning scheme. The intention is twofold: firstly, it is to introduce work-based learning appropriately and completely, whilst, secondly, ensuring that the existing qualifying employment model is withdrawn with minimum consequences for trainees already embarked upon it.

### 2) Implementation arrangements

ILEX intends to 'phase in' the implementation of the new work-based learning scheme over the course of the next 2 years. The plan is as follows:

- a) The ILEX work-based learning scheme will be live for entry from February 2011. This will be the point at which trainees can first register their period of work-based learning with ILEX, and begin to use the outcomes, work-based learning diary etc.
- b) **From February 2011 until July 2012**, the scheme will be open for entrants but will not be mandatory for ILEX members who have completed their academic stage of qualification (ie have completed all components of both Level 3 and Level 6 Professional qualifications). During this period, ILEX members will still have the option to either embark on the new scheme or undertake the existing period of qualifying employment. In this respect, during this period, ILEX will not 'withdraw' as such the right of its members to start and complete their training and become Fellows through the conventional period of qualifying employment. However, it should be noted that, after this period, it will become a requirement for members, completing the academic stage, to undertake the new scheme.
- c) It is hoped that this period of time will afford reflection to those members who are just completing their academic stage (eg, Aug 2011) and may have two years of post-academic training to achieve which has been planned for and offers a quicker route through to overall completion than the 3 years required by the new scheme. Equally, for those anticipating finishing their academic stage slightly later in this period (eg Aug 2012), it is hoped that the early access afforded to trainees to the new scheme in this period will allow them to begin to engage with the new scheme early on and start counting their experience prior to the completion of their academic stage (which of course the new scheme permits).



- d) **From August 2012, trainees completing the academic stage of qualification** will be **required** to undertake the ILEX work-based learning scheme (this includes members receiving August 2012 results). After this time, no member just completing the academic stage of training will be permitted to undertake the current period of qualifying employment. Any member who claims for a period of qualifying employment who has successfully completed the academic stage of training after August 2012 will be refused admission to Fellowship.
- e) Waiver applications in relation to the existing qualifying employment period (ie a waiver of the final 2 years of the qualifying employment period upon completion of the academic stage) can continue during this period of transition. No waivers against the old scheme will be permitted after July 2012, which is the effective termination date for admission to the scheme.
- f) Waivers in relation to the final 2 year period of the new ILEX work-based learning scheme will be permitted. Waivers are a discretionary feature of work-based learning on the part of ILEX to members who can demonstrate that they have the requisite skills in relation to the outcomes (which have often been gathered over many years of on the job training) and, hence, do not need to formally conclude a period of time served. To ensure that this kind of recognition continues and that the scheme offers a degree of flexibility to members, it is important to protect the robustness of the process whereby waivers are claimed for and approved.

Consequently, a waiver to the final 2 years of the scheme (ie the post academic phase) will be granted on the strict condition of (a) the satisfactory completion of the work-based learning scheme (as per the above documented requirements), and (b) the express support of a supervising line manager (see Appendix 7). Trainees should note that all waiver applications will be checked at ILEX in the following way:

- all relevant documentation (ie Outcomes checklist grid, diary entries and ILEX work-based learning scheme completion form) completed appropriately and present;
- all relevant signatures and support included.

In the absence or incompleteness of this information, ILEX reserves the right to refuse Fellowship admission. Upon the basis of the information presented., ILEX reserves the right to either temporarily refuse admission via waiver (this would be on the proviso that the trainee could undertake specified actions that would bring their application in line with the accepted requirements) or permanently refuse admission via waiver (this would be in a situation where ILEX could not foresee how restorative actions could ensure that ILEX felt sufficiently confident to permit the trainee entry).

## **Appendix 7 – Employer support form (for waiver application)**

## Employer support form (for waiver application)



### Notes for employers and trainees using this form to support a waiver application

- 1) Upon making an application for Fellowship of ILEX, this form must be used if the trainee making the application wishes to be considered for a waiver of the final 2 years of the scheme (ie the post-academic phase requirement).
- 2) It must be submitted alongside all the other scheme requirements which must be satisfactorily completed (ie Outcomes checklist grid, Diary entries and the ILEX work-based learning scheme completion form (signed)).
- 3) Each part of the form must be completed.

### Notes for employers completing this form

- You must only complete this form if you are confident that the trainee in question has completed satisfactorily all the requirements of the scheme (ie 3 diary entries for each outcome; variety of activity across outcome completion; accurate and complete scheme administration)
- You must only complete this form if you are in a position where you have formally supervised the trainee's work for a substantive period of time that enables you to comment on the suitability of the trainee for Fellowship
- You must only complete this form if you can expressly say with confidence that your trainee is working at a level now and in a way now that would be comparable to them having completed the full 3 years of the scheme

Employer's name : \_\_\_\_\_

Position: \_\_\_\_\_

Company name: \_\_\_\_\_

Trainee's Name (for whom the waiver is sought): \_\_\_\_\_

Trainee's position: \_\_\_\_\_

**Statement in support of waiver application**

I believe that \_\_\_\_\_ (name of trainee) has both completed the requirements of the ILEX work-based learning scheme and is working at a level and in a way that is comparable to him/her (please delete as appropriate) having fully completed the 3 year scheme. I support \_\_\_\_\_ (name of trainee) in his/her (please delete as appropriate) waiver application.

In no more than 400 words, please give further details below of:

- The role of the trainee in the organisation and the work normally undertaken by the trainee as a part of their role;
- The length of time the trainee has been performing this role;
- The reasons why you have chosen to support the trainee's application for waiver.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_