

Comparison of Admission for Fellowship (work-based learning) and with CILEx Lawyer Authorisation rules

NOTE: this table maps subsections between the old and new rules. Within subsections, new rules may be renumbered and reordered.

| Fellowship | New rules | Comments |
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| <p>DEFINITIONS</p> <p>1. In these rules, the following definitions apply: ‘</p> <p>Admissions and Licensing Committee’ means the Committee established by CILEx Regulation to deal with matters relating to these rules.</p> <p>‘Authorised person’ means a person so described in the Legal Services Act 2007. An authorised person is defined by the Act as ‘a person who is authorised to carry on the relevant activity by a relevant approved regulator in relation to the relevant activity’.</p> <p>‘CILEx’ means the Chartered Institute of Legal Executives</p> <p>‘Fellow’ means a person who has complied with regulations made by Council regarding qualifying employment, has paid all subscriptions and other fees to CILEx or has made arrangement for payment and has provided a certificate signed by an authorised person who supervises their work, or by whom they are employed, which confirms the nature of their duties and that they are competent to be a Fellow.</p> <p>‘Graduate member’ means a person registered as such by CILEx who is not a Fellow.</p> <p>‘CILEx Regulation’ means CILEx Regulation Ltd</p> <p>‘Registered person’ means a person who is not a Fellow but is registered with CILEx in accordance with its Charter and Bye Laws and regulations made by CILEx Council.</p> | <p>Definitions</p> <p>1. In these rules, the following definitions apply: ‘</p> <p>Admissions and Licensing Committee’ means the Committee established by CILEx Regulation to deal with matters relating to these rules.</p> <p>‘Authorised person’ means a person so described in the Legal Services Act 2007. An authorised person is defined by the Act as ‘a person who is authorised to carry on the relevant activity by a relevant approved regulator in relation to the relevant activity’.</p> <p>‘CILEx’ means the Chartered Institute of Legal Executives</p> <p>‘Fellow’ means a person who has met the requirements of CILEx Regulation and complied with regulations made by Council regarding qualifying employment, has paid all subscriptions and other fees to CILEx or has made arrangement for payment and has provided a certificate signed by an authorised person who supervises their work, or by whom they are employed, which confirms the nature of their duties and that they are competent to be a Fellow.;</p> <p>‘Graduate member’ means a person registered as such by CILEx who is not a Fellow.</p> <p>‘CILEx Regulation’ means CILEx Regulation Ltd</p> <p>‘Registered person’ means a person who is not a Fellow but is registered with CILEx in accordance with its Charter and Bye Laws and regulations made by CILEx Council.</p> <p>“CILEx Institute Board” means the Board of the Chartered Institute of Legal Executives</p> | <p>Definitions deleted are no longer used in the rules.</p> <p>Updated Fellow definition in line with recent changes approved by Privy Council.</p> <p>New definition of CILEx Institute Board included.</p> |
| <p>NOTES</p> <p>Reference to the male gender also includes female gender.</p> | <p>Notes on these rules</p> <p>2. Reference to the male gender also includes female gender.</p> | <p>No change.</p> <p>New rules have an additional note and a note on delegations.</p> |

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| <p>ADMISSION AS A FELLOW</p> <p>2. A Graduate Member may be admitted as a Fellow if he is in qualifying employment and:</p> <ul style="list-style-type: none"> • He has been in qualifying employment for an aggregate of 3 years or more; • He has been in qualifying employment for at least 2 consecutive years immediately preceding the date of the application; • He has served at least 1 year in the Graduate grade of membership; • He has met the work based learning outcomes in accordance with the requirements set by CILEx Regulation; • He has paid all subscriptions and other fees payable by him to CILEx or has made arrangement for payment; • He provides a Certificate of Fitness signed by an authorised person within the meaning of the Legal Services Act 2007, or at the discretion of CILEx Regulation, any other person, who supervises his work or by whom he is employed, which confirms the nature of that work and that he is competent to be a Fellow; and • He accepts any obligations imposed on him by the Charter and Bye Laws and regulations and rules made by the CILEx Council. | <p>ADMISSION AS A FELLOW</p> <p><u>12. An applicant Graduate Member</u> may be admitted as a Fellow if he is in qualifying employment and:</p> <ul style="list-style-type: none"> • He has been in qualifying employment for an aggregate of 3 years or more; • He has been in qualifying employment for at least 2 consecutive years immediately preceding the date of the application; • He has served at least 1 year in the Graduate grade of membership; • He has met the <u>Chartered Legal Executive knowledge and competence work based learning outcomes in accordance with the</u> requirements set by CILEx Regulation; • He has paid all subscriptions and other fees payable by him to CILEx or has made arrangement for payment; • He provides an <u>Employer’s Endorsement Certificate of Fitness</u> signed by an authorised person within the meaning of the Legal Services Act 2007, or at the discretion of CILEx Regulation, any other person, who supervises his work or by whom he is employed, which confirms the nature of that work and that he is competent to be a Fellow; and • He accepts any obligations imposed on him by the Charter and Bye Laws and regulations and rules made by the CILEx Council <u>Institute Board</u>. | <p>New rule 12 – reordered to follow eligibility and definition of qualifying employment to reflect the application process</p> <p>Amendments reflect outcome of Education Standards Consultation and changes to CILEx governance.</p> <p>Reference to Certificate of Fitness amended to reflect current practice of seeking Employer’s Endorsement</p> |
| <p>ELIGIBILITY</p> <p>3. Applications for Fellowship can only be made by Graduate Members of CILEx who:</p> <ul style="list-style-type: none"> • are currently in qualifying employment; • have at least 3 years qualifying employment, of which at least 1 year has been served in the Graduate grade of membership; and • have been in qualifying employment for 2 consecutive years immediately preceding the date of the application. <p>4. A period of up to 43 weeks spent in attendance on a Legal Practice Course recognised by the Law Society of England and Wales in connection</p> | <p>ELIGIBILITY</p> <p><u>53.</u> Applications for Fellowship can only be made by Graduate Members of CILEx <u>applicants</u> who:</p> <ul style="list-style-type: none"> • are currently in qualifying employment; • have at least <u>three</u>3 years qualifying employment, of which at least 1 year has been served in the Graduate grade of membership; and • have been in qualifying employment for <u>two</u>2 consecutive years immediately preceding the date of the application. <p><u>64.</u> A period of up to 43 weeks spent in attendance on a Legal Practice Course recognised by the Law Society of England and Wales in connection with qualification as a solicitor or the Bar Professional Training</p> | <p>New numbering to reflect the order of the application process. Minor style changes</p> <p>Text amendments reflect outcome of Education Standards Consultation.</p> |

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| <p>with qualification as a solicitor or the Bar Professional Training Course recognised by the Bar Council in connection with qualification as a Barrister will be treated as qualifying employment.</p> <p>5. A break in employment for any reason does not count as qualifying employment. Where the break is less than 12 months, it will not break continuity of employment for the purpose of the requirement to serve 2 consecutive years in qualifying employment immediately preceding the date of the application.</p> | <p>Course recognised by the Bar Council in connection with qualification as a Barrister will be treated as qualifying employment.</p> <p><u>75</u>. A break in employment for any reason does not count as qualifying employment. Where the break is less than 12 months, it will not break continuity of employment for the purpose of the requirement to serve <u>two</u> consecutive years in qualifying employment immediately preceding the date of the application.</p> | |
| <p>DEFINITION OF QUALIFYING EMPLOYMENT</p> <p>6. A person is in qualifying employment if he is employed either:</p> <ul style="list-style-type: none"> • by an authorised person in private practice; • by an organisation where the employment is subject to supervision by an authorised person employed in duties of a legal nature by that organisation; and in either case • the work under the terms of his employment is, for at least 20 hours per week, wholly of a legal nature. <p>7. An applicant for Fellowship will be regarded as being employed if:</p> <ul style="list-style-type: none"> • he is employed under a contract of service and is engaged on his employer’s business for specified hours; or • he is a partner in any firm or is an owner of any company; or • at the discretion of CILEx Regulation, he is employed under a contract for services, whether he works as an independent contractor or provides services through an intervening agent. <p>8. Part-time employment may be accepted as qualifying employment, if the work undertaken provides the opportunity for practical expertise to be developed. Part-time employment is employment for less than 20 hours per week. CILEx Regulation shall have the power to determine that</p> | <p>DEFINITION OF QUALIFYING EMPLOYMENT</p> <p><u>86</u>. A person is in qualifying employment if he is employed either:</p> <ul style="list-style-type: none"> • by an authorised person in private practice; • by an organisation where the employment is subject to supervision by an authorised person employed in duties of a legal nature by that organisation; and in either case • the work under the terms of his employment is, for at least 20 hours per week, wholly of a legal nature. <p><u>97</u>. An applicant for Fellowship will be regarded as being employed if:</p> <ul style="list-style-type: none"> • he is employed under a contract of service and is engaged on his employer’s business for specified hours; or • he is a partner in any firm or is an owner of any company; or • at the discretion of CILEx Regulation, he is employed under a contract for services, whether he works as an independent contractor or provides services through an intervening agent. <p><u>108</u>. Part-time employment may be accepted as qualifying employment, if the work undertaken provides the opportunity for practical expertise to be developed. Part-time employment is employment for less than 20 hours per week. CILEx Regulation shall have the power to determine that employment for less than 20 hours per week shall be regarded as part-time qualifying employment, where it decides it is appropriate to do so.</p> <p><u>119</u>. Unpaid work may be regarded as ‘employment’ for the purposes of these rules.</p> | <p>New numbering to reflect the order of the application process.</p> <p>Minor typographical correction in rule 10.</p> |

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| <p>employment for less than 20 hours per week shall be regarded as parttime qualifying employment, where it decides it is appropriate to do so.</p> <p>9. Unpaid work may be regarded as 'employment' for the purposes of these rules.</p> | | |
| <p>WORK BASED LEARNING OUTCOMES</p> <p>10. To qualify as a Fellow, applicants must be able to demonstrate competence against each of the learning outcomes set out below:</p> <p>Competency</p> <p>1: Practical Application of the law and legal Practice</p> <p>1.1 Apply the law to the matter.</p> <p>1.2 Apply relevant legal procedure to a matter.</p> <p>1.3 Identify and deal with the issues arising in a matter.</p> <p>1.4 Undertake legal research.</p> <p>Competency 2: Communication skills</p> <p>2.1 Communicate legal issues using appropriate methods.</p> <p>2.2 Use suitable language in communication.</p> <p>2.3 Address all issues in communication.</p> <p>2.4 Seek appropriate information through communication.</p> <p>2.5 Represent a client through effective communication and other skills.</p> <p>Competency 3: Client relations</p> <p>3.1 Identify and understand a client's or service user's position.</p> <p>3.2 Take accurate instructions relating to a legal matter from clients or service users.</p> <p>3.3 Provide clear legal advice to clients or service users.</p> <p>3.4 Evaluate the risks, costs and benefits of alternative courses of action.</p> <p>3.5 Take action to deal with instructions received.</p> <p>3.6 Manage a client's or service user's expectations.</p> | <p>WORK BASED LEARNING OUTCOMES APPLICATIONS</p> <p>1310. To qualify as a Fellow, applicants must be able to demonstrate competence against each of the learning outcomes set out below: Competency the knowledge and competence requirements set out at Annex AXX.</p> <p>1: Practical Application of the law and legal Practice</p> <p>1.1 Apply the law to the matter.</p> <p>1.2 Apply relevant legal procedure to a matter.</p> <p>1.3 Identify and deal with the issues arising in a matter.</p> <p>1.4 Undertake legal research.</p> <p>Competency 2: Communication skills</p> <p>2.1 Communicate legal issues using appropriate methods.</p> <p>2.2 Use suitable language in communication.</p> <p>2.3 Address all issues in communication.</p> <p>2.4 Seek appropriate information through communication.</p> <p>2.5 Represent a client through effective communication and other skills.</p> <p>Competency 3: Client relations</p> <p>3.1 Identify and understand a client's or service user's position.</p> <p>3.2 Take accurate instructions relating to a legal matter from clients or service users.</p> <p>3.3 Provide clear legal advice to clients or service users.</p> <p>3.4 Evaluate the risks, costs and benefits of alternative courses of action.</p> <p>3.5 Take action to deal with instructions received.</p> <p>3.6 Manage a client's or service user's expectations.</p> <p>Competency 4: Management of workload</p> <p>4.1 Progress matters expeditiously.</p> <p>4.2 Plan your workload to deliver a good legal service to clients or service users.</p> | <p>Section title changed to be consistent with other rules.</p> <p>Rule numbering changed as consequence of earlier changes.</p> <p>Learning outcomes replaced with new framework following consultation on Education Standards.</p> <p>See below for Annex A.</p> <p>Added reference to fees in rule 15 for consistency with other rules. Note this is not a new obligation as the requirement to pay a fee is covered in the admission criteria (new rule 12).</p> |

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| <p>Competency 4: Management of workload</p> <p>4.1 Progress matters expeditiously.</p> <p>4.2 Plan your workload to deliver a good legal service to clients or service users.</p> <p>4.3 Maintain files and records in accordance with procedures.</p> <p>Competency 5: Business Awareness</p> <p>5.1 Demonstrate an understanding of the business environment of a legal practice or organisation.</p> <p>5.2 Evaluate the risks, costs and benefits of alternative courses of action to the business.</p> <p>Competency 6: Professional Conduct</p> <p>6.1 Apply the rules of professional conduct appropriately to relevant situations</p> <p>6.2 Provide appropriate information to clients and service users.</p> <p>6.3 Understand the need to avoid discrimination and promote equality and diversity Competency</p> <p>7: Self-awareness and development</p> <p>7.1 Evaluate your professional skills and legal knowledge.</p> <p>7.2 Understand the limitations of your professional skills and knowledge.</p> <p>Competency 8: Working with others</p> <p>8.1 Establish effective working relationships with others involved in a legal matter.</p> <p>8.2 Demonstrate ability to select and provide appropriate information to others as required by the law</p> <p>11. Learning outcomes shaded in grey should be met once; all other outcomes should be met twice.</p> <p>12. Applicants for Fellowship should demonstrate meeting the learning outcomes by using the documentation prescribed by CILEx Regulation to produce a portfolio of evidence.</p> <p>13. Applicants for Fellowship must also complete all application forms</p> | <p>4.3 Maintain files and records in accordance with procedures.</p> <p>Competency 5: Business Awareness</p> <p>5.1 Demonstrate an understanding of the business environment of a legal practice or organisation.</p> <p>5.2 Evaluate the risks, costs and benefits of alternative courses of action to the business.</p> <p>Competency 6: Professional Conduct</p> <p>6.1 Apply the rules of professional conduct appropriately to relevant situations</p> <p>6.2 Provide appropriate information to clients and service users.</p> <p>6.3 Understand the need to avoid discrimination and promote equality and diversity Competency</p> <p>7: Self-awareness and development</p> <p>7.1 Evaluate your professional skills and legal knowledge.</p> <p>7.2 Understand the limitations of your professional skills and knowledge.</p> <p>Competency 8: Working with others</p> <p>8.1 Establish effective working relationships with others involved in a legal matter.</p> <p>8.2 Demonstrate ability to select and provide appropriate information to others as required by the law</p> <p>11. Learning outcomes shaded in grey should be met once; all other outcomes should be met twice.</p> <p><u>1412.</u> Applicants for Fellowship should demonstrate meeting the <u>knowledge and competence requirements</u> learning outcomes by using the documentation prescribed by CILEx Regulation to produce a portfolio of evidence.</p> <p><u>1513.</u> Applicants for Fellowship must also complete all application forms required by CILEx Regulation <u>and pay such fees as may be fixed by CILEx Regulation</u> from time to time.</p> | |
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| <p>required by CILEx Regulation from time to time.</p> | | |
| <p>DECISION MAKING</p> <p>14. The decision to accept an applicant for Fellowship on the basis of his submitted application and portfolio of evidence may be made by an Officer of CILEx Regulation.</p> <p>15. The Officer is not able to make a decision the on following:</p> <ul style="list-style-type: none"> • Where a member seeks guidance or a decision as to whether or not their employment constitutes qualifying employment and no earlier precedent has been set. • Where a registered person may be undertaking work which is similar to qualifying employment, but there is no authorised person employed to supervise his work. • Applications from members who seek to rely on qualifying employment which took place more than 3 years preceding the date of their application • Where there is doubt about the nature of the work and whether the work constitutes qualifying employment. • Where there is doubt as to whether the outcomes have been met or have been properly written up. <p>The Admissions and Licensing Committee will determine these applications in accordance with the Membership Requirement Regulations, these rules and the Admissions and Licensing Committee Rules.</p> | <p>DECISION MAKING</p> <p>1614. The decision to accept an applicant for Fellowship on the basis of his submitted application and portfolio of evidence may be made by an Officer of CILEx Regulation.</p> <p>15. The Officer is not able to make a decision the on following:</p> <ul style="list-style-type: none"> • Where an <u>individual-member</u> seeks guidance or a decision as to whether or not their employment constitutes qualifying employment and no earlier precedent has been set. • Where an <u>individual-registered person</u> may be undertaking work which is similar to qualifying employment, but there is no authorised person employed to supervise his work. • Applications from <u>members-individuals</u> who seek to rely on qualifying employment which took place more than 3 years preceding the date of their application • Where there is doubt about the nature of the work and whether the work constitutes qualifying employment. • Where there is doubt as to whether the outcomes have been met or have been properly written up. <p>The Admissions and Licensing Committee will determine these applications in accordance with the Membership Requirement Regulations, these rules and the Admissions and Licensing Committee Rules.</p> | <p>Text amendments reflect the fact that applicants for fellowship may not be members of CILEx (for example in the case of immigration practice)</p> |

New rules

ANNEX A - Chartered Legal Executive knowledge and competence requirements

Technical knowledge requirements

General knowledge requirements for all Chartered Legal Executives / Fellows

Minimum content:

Stage 1

- Introduction to law and legal practice
- Introduction to dispute resolution
- Introduction to conveyancing
- Introduction to criminal practice
- Introduction to wills and probate
- Introduction to public law
- Introduction to equality and human rights law
- Introduction to legal technology
- Conduct and professional ethics

Stage 2

- Contextualised legal technology
- Conduct and professional ethics

Practitioner

- Basic accounts
- Specialist legal technology
- Conduct and professional ethics

Knowledge requirements specific to a CILEx Lawyer

Minimum Content:

This will depend on the distinct area of practice in which practitioner status is sought, but the minimum requirements will be:

- Law element: set and assessed at Level 6, comprising not less than 15 credits (approximately 150 hours of guided learning)
- Practice element: set and assessed at Level 6, comprising not less than 15 credits (approximately 150 hours of guided learning)

Competence requirements

Application of law and practice

- Undertake legal research
- Critically analyse facts and law
- Synthesise all relevant information
- Find solutions
- Draft legal documents

Communication

- Communicate orally and in writing clearly and effectively

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- Negotiate effectively
- Advocate (formally or informally as appropriate)
- Develop, maintain and manage 3rd party relationships

Client relationship

- Take instructions
- Evaluate options and risks to the client
- Communicate advice
- Manage expectations
- Provide good customer service

Effective working practices

- Progress matters
- Plan workload and manage files
- Project manage
- Understand and utilise innovation (entrepreneurship)

Business awareness

- Identify and evaluate options and risks
- Undertake business development
- Network
- Identify marketing opportunities
- Understand and use financial management tools

Self development

- Reflect and self-evaluate, including understanding your own limitations and the need for adaptability.
- Develop awareness of the role of your own emotions within the workplace and recognise the emotions and vulnerabilities of clients.
- Foster personal physical and mental wellbeing and contribute where possible to a positive workplace environment.
- Demonstrate leadership and management skills.
- Identify and undertake professional development necessary to ensure competence and good practice and a commitment to supervisory requirements.

Conduct, ethics and professionalism

- Identify, understand and put into practice the CILEx Regulation Code of Conduct
- Identify, understand and put into practice all relevant legal and regulatory requirements (e.g. data protection)
- Understand and put into practice the principles of client care
- Provide certainty and clarity as to the legal services being provided and the basis of charging
- Understand and put into practice complaint handling requirements
- Understand and put into practice, principles of equality and diversity, including the needs of vulnerable consumers
- Identify situations where ethical, legal or regulatory requirements are engaged and take appropriate action
- Resist pressure to condone, ignore or act unethically

Use of technology

- Use available technology
- Identify uses for emerging technology and recommend implementation appropriately
- Understand ethical challenges of technology and use technology ethically