



**The Chartered Institute of Legal Executives**

# CPD Handbook 2013

<b>CONTINUING PROFESSIONAL DEVELOPMENT GUIDANCE NOTES 2013</b>
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# DEFINITION OF THE CILEx CONTINUING PROFESSIONAL DEVELOPMENT SCHEME

## Introduction

Continuing Professional Development (CPD) is defined as:

'The systematic maintenance, improvement and extension of the professional and legal 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 life.'

## CPD Requirements

CPD is compulsory for all Fellows, Legal Accounts members, Graduate Members, Associate members and Associate Prosecutor members. The CPD year now runs from October to September. For the year 2013 the CPD year will run from 1 January to 30 September, therefore CPD has been apportioned; Fellows and Associate Prosecutors are required to complete a minimum of 12 hours CPD, Graduate members are required to complete a minimum of 9 hours CPD and Associate members are required to complete a minimum of 6 hours CPD. Any additional CPD cannot be carried over to the following year.

## Types of Training

The CPD requirements for each membership grade are divided into two broad categories:

### (i) Specialist Training

Members are required to choose their area of specialisation by marking the area on their CPD logbook. This will usually be the main area of work in which the member practises but, where a member works in a more general capacity, they may designate a specialist area of their choice. Members are required to undertake a minimum of half of their CPD hours training in their chosen specialist area.

### (ii) Non-Specialist Training

The other half of the CPD hours may be taken in any area(s) of a member's choice (which may also be in their areas of specialisation if they wish) which they consider would be of benefit to them in their daily role. This may include non-legal work such as management training, or the development of communication skills or information technology skills.

## Recording CPD

Members are required to record their CPD through an on line recording system. Members may log onto 'myCILEx' through the CILEx website ([www.cilex.org.uk](http://www.cilex.org.uk)). The website contains online log books which members must access to record details of CPD training they have undertaken. Members must submit their log book to CILEx electronically once they have completed their CPD for the year. By submitting the log book to CILEx a member will be making a declaration indicating that the CPD listed on the log book has been completed. False declarations will be referred to the IPS as a conduct matter.

## HOW TO OBTAIN CPD CREDIT THROUGH TRAINING

Listed below are recognised CPD activities for this scheme. When selecting activities, members are reminded to consider the requirements relating to CPD hours for specialist and non-specialist training, as well as the criteria relating to the maximum number of CPD hours credit for specific activities.

All members are reminded that they must undertake **at least half of their CPD** in their designated **specialist area**. However, members who are working, but not employed within legal practice, are not required to nominate a specialist area.

### Recognised CPD Activities 2013

The list of recognised CPD activities should be used in conjunction with the criteria and explanatory notes detailed below, as well as the required evidence detailed in the following table. Particular attention is drawn to the criteria relating to ITC updates and the Legal Executive Journal or Internet articles.

- (i) ITC Updates 2013
- (ii) Relevant Journal or Internet Articles 2013
- (iii) Attendance at courses or seminars in specialist or non-specialist areas
- (iv) Distance Learning Courses (including e-learning) in specialist or non-specialist areas
- (v) In-house training by employer in specialist or non-specialist areas
- (vi) Training by local CILEx or Law Society Branches in specialist or non-specialist areas
- (vii) Academic or professional study in specialist or non-specialist areas
- (viii) Production of a dissertation in specialist or non-specialist areas
- (ix) Research of a legal topic in specialist areas only
- (x) Preparation and delivery of training courses in specialist or non-specialist areas
- (xi) Work shadowing in specialist or non-specialist areas
- (xii) Coaching or mentoring in specialist or non-specialist areas
- (xiii) Participation in development of areas of law through Committee or Working Party activity – specialist areas only
- (xiv) Writing on law or practice – specialist areas only

### Criteria and Explanatory Notes Relating to CPD Activities

- (i) **ITC updates, and**
- (ii) **Relevant journal or internet articles**
  1. Only two ITC updates are available for each member.
  2. One ITC update equals a maximum of 4 hours CPD, and is likely to be in a member's specialist area, but could be in a non-specialist area.
  3. Members can claim a maximum of 75% of their CPD for reading relevant articles and using ITC updates.
  4. Another CPD activity (other than ITC updates or reading relevant articles) **MUST** be undertaken by members to achieve the outstanding 25% CPD.

### Use of ILEX Tutorial College CPD updates, course manuals and self-assessment questions and answers

Each year ITC will forward self-assessment questions and answers, with either a specially written CPD update or ILEX Tutorial College (ITC) course manual, to members who request them. A maximum of two CPD updates and/or ITC course manuals and self-assessment

questions will be provided for each member. Members are required to study the CPD update or ITC course manual and answer 30 multiple-choice and/or short-answer questions based on the materials. Members are not required to return their answers to ITC, but should retain them with their logbook as CILEx may request them for checking purposes. Wherever possible, the CPD updates or ITC course manuals and self-assessment questions and answers will be self-contained but, where there are major changes to the law in a particular field, it may not be practical to produce a self-contained guide in that field. These materials should become available between June and September.

Members should note that the CPD updates, ITC course manuals and self- assessment questions and answers are not intended for academic study of the law. They are intended for those members already practising in the area of law for which the CPD materials have been requested, and they therefore assume a level of knowledge in that topic equivalent to a CILEx Level 6 Professional Higher Diploma in Law examination pass. Members are advised against undertaking this form of CPD unless they are already fully conversant with the area of law in question.

Completion of ITC CPD materials in one subject will equate to 4 hours CPD. Members may request two sets of ITC CPD materials, one of which must be in their nominated area of specialisation.

The CILEx Level 6 Professional Higher Diploma in Law subjects for which ITC CPD materials are available are as follows:

ITC CPD updates, self-assessment questions, answers and feedback
Civil Litigation
Conveyancing and Land Law (combined*)
Criminal Law and Practice (combined*)
Probate Law and Practice (combined*)
Family Law and Practice (combined*)
Law of Tort
Law of Contract
Landlord and Tenant Law
Equity and Trusts
Employment Law

\* These subjects have been combined to create one text containing both substantive law and legal practice.

4 hours CPD is given for the combined subject.

**(iii) Attendance at a course presented by a training provider**

Attendance at a course provided by a training provider is sufficient training for CPD purposes up to the amount of hours in actual attendance. A member will need to complete his or her logbook with the details of the course and the number of hours of CPD credited, and ask the training provider to provide the course code for marking on the logbook as proof of attendance. All training providers should provide a course code. CILEx is unable to provide guarantees regarding the training delivered by any training provider.

**(iv) Distance learning courses offered by a training provider**

Distance learning courses (including e-learning) provided by a training provider are acceptable up to the amount of hours specified in the course materials, as long as the course provider has supplied the course code for the logbook in the same manner as for courses requiring attendance.

Any course taken with a training provider accredited by the Law Society or any other professional body may be used as CILEx CPD, provided the requirements of the CILEx scheme are satisfied.

**(v) In-house training by employer**

A member may engage in training carried out in-house by his or her employer as part of that employer's continuing professional development for staff. The member's log book must be signed off by the Training Manager or any equivalent person within the firm and submitted on request as evidence of training to CILEx. In-house training providers are automatically approved for training their own staff, and are not required to undergo a formal listing process.

**(vi) Training provided by local ILEX Branches or local Law Societies**

A member may engage in training carried out by a CILEx Branch or by a local Law Society. Members should check with their local Branch for any CPD training offered throughout the year.

**(vii) Academic study**

Academic study may be used to fulfil the CPD requirements in respect of all CPD hours in either specialist or non-specialist areas.

**(viii) Dissertation**

Actual time researching and writing up a dissertation in the member's chosen specialist area equates to up to 100% of the CPD requirement, whereas research and writing up a dissertation within a non-specialist area equates to up to 50% of the CPD requirement.

Where research and writing of a dissertation spans more than one year, this activity can be claimed for CPD purposes each year.

**(ix) Research**

Actual time spent on research undertaken in the member's chosen specialist area equates to up to 100% of the CPD requirement, whereas research undertaken in a non-specialist area equates to a maximum of 50% of the CPD requirement.

**(x) Preparation and delivery of training courses**

Members, who are CILEx tutors delivering the Level 3 Professional Diploma in Law or Level 6 Professional Higher Diploma in Law, cannot claim the delivery of these courses as a CPD activity. However, preparation, including research to ensure that up-to-date material is delivered, is a recognised CPD activity.

**(xi) Work shadowing**

Actual time spent work shadowing equates to 100% of the CPD requirement if it is undertaken within the chosen specialist area, and equates to a maximum of 50% of the CPD requirement if it is undertaken within a non-specialist area.

**(xii) Coaching and mentoring**

Members, who are CILEx Level 3 and Level 6 tutors, cannot claim as a CPD activity the coaching or mentoring of CILEx students towards their professional qualifications. This applies to coaching and mentoring in both specialist and non-specialist areas.

**(xiii) Participation in development of specialist areas of law**

This only counts as a recognised CPD activity when it is undertaken within the member's chosen specialist area of law. Actual time spent at meetings etc equates to up to 100% of the CPD requirement.

**(xiv) Writing on law and/or practice**

This only counts as a recognised CPD activity when it is undertaken within the member's chosen specialist area of law. Actual time spent on writing equates to up to 100% of the CPD requirement.

The table on the following pages explains how CPD hours can be claimed and what evidence is required for the logbook for each CPD activity.

## CPD ACTIVITIES: HOURS CLAIMED AND EVIDENCE REQUIRED

Activity	Amount of CPD which can be claimed	Evidence Required
ITC updates, course manuals and self assessment questions	<p>4 hours CPD per update. 2 updates available for each member leading to a maximum of 8 hours CPD</p> <p>A maximum of 75% of the CPD requirement can be met by reading relevant articles and/or using ITC updates (see criteria above)</p>	<p>The details of the update/manual must be provided on the member's CPD logbook.</p> <p>Answers to multiple-choice and/or short answer questions should be kept.</p>
Reading relevant articles in the Legal Executive Journal or other reputable sources including the internet	Actual time up to 75 % of CPD (subject to any CPD hours claimed for ITC updates – see criteria above)	The article title, publication details and/or website address must be provided on the member's CPD logbook in the description column.
Attendance at a course/seminar – in a member's SPECIALIST AREA	Actual time – up to 100% of CPD requirement	The details of the training provider and the course must be provided on the member's CPD logbook.
Attendance at a course/seminar – in a members' NON-SPECIALIST AREA	Actual time – up to 50% of CPD requirement	The details of the training provider and the course must be provided on the member's CPD logbook.
Distance Learning Courses to include e-learning - in a member's SPECIALIST AREA	Actual time – up to 100% of CPD requirement	The details of the training provider and the course must be provided on the member's CPD logbook.
Distance Learning Courses to include e-learning - in a member's NON-SPECIALIST AREA	Actual time – up to 50% of CPD requirement	The details of the training provider and the course must be provided on the member's CPD logbook.
In-house training by employer – in a member's SPECIALIST AREA	Actual time – up to 100% of CPD requirement	The employer's details and information about the training must be provided on member's CPD logbook.
In-house training by employer – in a member's NON-SPECIALIST AREA	Actual time – up to 50% of CPD requirement	The employer's details and the nature of the training must be provided on member's CPD logbook.



<b>Activity</b>	<b>Amount of CPD which can be claimed</b>	<b>Evidence Required</b>
Training provided by local CILEx or Law Society Branches in a member's SPECIALIST AREA	Actual time – up to 100% of CPD requirement	Details of the Branch and the nature of the nature of the training must be provided on the member's CPD logbook.
Training provided by local CILEx or Law Society Branches in a member's NON- SPECIALIST AREA	Actual time – up to 50% of CPD requirement	Details of the Branch and the nature of the training must be provided on the member's CPD logbook.
Academic or Professional Study in a member's SPECIALIST AREA	Actual time spent studying – up to 100% of CPD requirement  Where study for qualification spans more than one year, this activity can be claimed for CPD purposes during each year of the qualification	Full details of the qualification (including subjects covered), the provider and the year of study must be provided on the member's CPD logbook.
Academic or Professional Study in a member's NON- SPECIALIST AREA	Actual time spent studying – up to 50% of CPD requirement  Where study for qualification spans more than one year, this activity can be claimed for CPD purposes during each year of the qualification	Full details of the qualification (including subjects covered), the provider and the year of study must be provided on the member's CPD logbook.
Production of a Dissertation in a member's SPECIALIST AREA	Actual time spent researching and writing up the dissertation – up to 100% of CPD requirement  Where research and writing of a dissertation spans more than one year, this activity can be claimed for CPD purposes each year	The title of the dissertation and the qualification details must be provided on the member's CPD logbook.
Production of a Dissertation in a member's NON- SPECIALIST AREA	Actual time spent researching and writing up the dissertation – up to 50% of CPD requirement  Where research and writing of a dissertation spans more than one year, this activity can be claimed for CPD purposes each year	The title of the dissertation and the qualification details must be provided on the member's CPD logbook.

<b>Activity</b>	<b>Amount of CPD which can be claimed</b>	<b>Evidence Required</b>
Research – must relate to legal topics/ be relevant to the member’s place of work and be in their SPECIALIST AREA	Actual time – up to 100% of CPD requirement	Full details of the topic for the research and, where applicable, the organisation which has commissioned the research must be provided on the member’s CPD logbook.
Research – must relate to legal topics/ be relevant to the member’s place of work and be in their NON-SPECIALIST AREA	Actual time – up to 50% of CPD requirement	Full details of the topic for the research and, where applicable, the organisation which has commissioned the research must be provided on the member’s CPD records.
Preparation and delivery of training courses in a member’s SPECIALIST AREA	Actual time – up to 100% of CPD requirement  CILEx tutors delivering the Level 3 Professional Diploma in Law or Level 6 Professional Higher Diploma in Law cannot claim the delivery of these courses as a CPD activity. However, preparation, including research to ensure that up to date material is delivered, is an appropriate activity	Full details of the course being delivered must be provided on the member’s CPD logbook.
Preparation and delivery of training courses in a member’s NON-SPECIALIST AREA	Actual time – up to 50% of CPD requirement  CILEx tutors delivering the Level 3 Professional Diploma in Law or Level 6 Professional Higher Diploma in Law cannot claim the delivery of these courses as a CPD activity. However, preparation, including research to ensure that up to date material is delivered, is an appropriate activity	Full details of the course being delivered must be provided on the member’s CPD logbook.

<b>Activity</b>	<b>Amount of CPD which can be claimed</b>	<b>Evidence Required</b>
Work shadowing – with clear aims and objectives for professional development in a member's SPECIALIST AREA	Actual time – up to 100% of CPD requirement	Full details of the aims and outcomes of the work shadowing sessions must be provided on the member's CPD logbook.
Work shadowing – with clear aims and objectives for professional development in a member's NON-SPECIALIST AREA	Actual time – up to 50% of CPD requirement	Full details of the aims and outcomes of the work shadowing sessions must be provided on the member's CPD logbook.
Coaching or mentoring – delivered face to face or at a distance with clear aims and objectives for professional development in a member's SPECIALIST AREA	Actual time – up to 100% of CPD requirement  CILEx Level 3 and Level 6 tutors cannot claim the coaching or mentoring of CILEx students towards the professional qualifications as a CPD activity	Full details of aims and outcomes of the sessions must be provided on the member's CPD logbook.  It is likely that this will be a specialist CPD activity but could include other skills, for example, presentation skills.
Coaching or mentoring – delivered face to face or at a distance with clear aims and objectives for professional development in a member's NON-SPECIALIST AREA	Actual time – up to 50% of CPD requirement  CILEx Level 3 and Level 6 tutors cannot claim the coaching or mentoring of CILEx students towards the professional qualifications as a CPD activity	Full details of aims and outcomes of the sessions must be provided on the member's CPD logbook.  It is likely that this will be a specialist CPD activity but could include other skills, for example, presentation skills.
Participation in development of specialist areas of law by attending meetings of specialist committees/working parties of relevant organisations undertaking such work – MUST BE IN A MEMBER'S SPECIALIST AREA	Actual time spent at meetings – up to 100% of CPD requirement	Details of the committee/working party and/or organisation, the area of law being considered must be provided on the member's CPD logbook.
Writing on Law or Practice – to include material written for journals, law books, publications, newspapers, magazines, internet – MUST BE IN A MEMBER'S SPECIALIST AREA	Actual time – up to 100% of CPD requirement	Full details of the subject of the piece of writing and, where applicable, the publication/website/organisation for which the material is being produced must be provided on the member's CPD logbook.

## **ADMINISTRATION AND APPLICATION OF THE CPD SCHEME**

### **Submission of log books**

IPS requires members to submit their completed 2013 logbook to CILEx for monitoring and verification. False declarations relating to the CPD logbook will be referred to IPS as a conduct matter.

Log books should be submitted using the online recording system by 30 September 2013.

### **Affiliates upgrading to Associate member**

If an affiliate member of CILEx is upgraded to Associate membership during the CPD year (January to September), he or she will not be required to complete any CPD until the start of the CPD year following their upgrade to Associate membership.

### **Associate members upgrading to Graduate member**

If an Associate member of CILEx is upgraded to Graduate member during the CPD year (January to September) he or she will only be required to complete 6 hours CPD during that year. He or she will need to complete the full requirement of CPD from the start of the CPD year following their upgrade to Graduate membership.

### **Graduate members upgrading to Fellowship**

If a Graduate member of CILEx is upgraded to Fellowship during the CPD year (January to September) he or she will only be required to complete 9 hours CPD during that year. He or she will need to complete the full requirement of CPD from the start of the CPD year following their upgrade to Fellowship.

### **Members working outside legal practice**

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.

### **Self-employed members**

CILEx members who are self-employed, whether providing legal services or otherwise, will be required to complete CPD in accordance with the Regulations.

### **Retired members**

Retired members are exempt from the requirement to complete any CPD training.

### **Legal Accounts Executives**

Legal Accounts Executives, whether Fellows of the Institute or not, are required to undertake CPD, although they are not required to nominate a specialist area. They are subject to the same conditions as Fellows and any reference to Fellows in this guide includes Legal Accounts Executives.

### **Chartered Legal Executive Advocates**

Fellows who are CILEx Advocates are required to undertake a minimum of 12 CPD hours, but at least 5 hours must be undertaken in advocacy skills.

### **Part-Time Employment**

CILEx members in any form of part-time employment are required to undertake CPD in the same way as members in full-time employment. This is non-discretionary.

### **Overseas members**

Members working outside the United Kingdom are subject to CPD. Overseas members may undertake training relevant to their own professional development using any of the

methods available to United Kingdom members. However, as CILEx is unable to list overseas training providers, the following rules apply:

- (i) Overseas members may attend local training courses in their nominated specialist area, if the course provider is approved by the local Bar or Law Society, or other such recognised legal professional body. The members are required to enter in the logbook the name and address of the training provider, and full details of the course undertaken.
- (ii) Overseas members may undertake up to 50% of their CPD training in non-specialist areas, which is relevant to their individual professional development. Members are required to enter in the logbook the name and address of the training provider, and full details of the course undertaken. Random checks will be made to verify the accuracy of the details provided.

As a condition of these concessions, the member's logbook must be signed by their employer (except in the case where a member is self-employed), in addition to the declaration signed by the member.

#### **Members required to undertake CPD with other professional bodies**

CILEx recognises that many of its members are members of other legal professional bodies, such as the Law Society and Council for Licensed Conveyancers. These bodies have their own continuing professional development scheme. It is possible, therefore, for members to 'double count' CPD completed through that body towards completion of the CILEx CPD obligations, provided all the conditions of the CILEx scheme are met. CILEx members who have already completed CPD in their capacity as Solicitors or Licensed Conveyancers may produce this CPD evidence to satisfy their CILEx CPD. The CILEx CPD year need not coincide with those of other professional bodies.

#### **Employers not funding CPD or not allowing time off to complete CPD.**

The responsibility to undertake CPD lies with the individual member. A member's employer is not obliged to provide them with time off from work to complete the CPD, nor is the employer obliged to fund the cost incurred by the member for undertaking CPD. Members who find themselves in such circumstances may wish to consider low cost CPD activities.

#### **Dispensation from CPD for Reason of Absence**

Members who are absent from employment for 6 months or more in a CPD year, whether in legal practice or otherwise, due to:

- illness
- unemployment
- maternity leave

are **not** required to undertake CPD during the CPD year in which the situation applies. The member must write to the membership team seeking dispensation from the CPD requirements setting out the reason for the absence and the dates. Where a member seeks dispensation on the grounds of ill health, he or she must attach supporting medical evidence to their letter.

Members are expected to resume CPD on their return to work, and will be required to complete the full CPD requirement if they are absent from work for less than 6 months in a CPD year.

**Further details on dispensation are available from the CILEx Membership team on 01234 841000.**

**Failure to Comply with CPD Requirements**

Failure to comply with the CPD requirements is a breach of IPS Regulations. It constitutes misconduct, and will be referred to IPS for investigation in relation to the conduct of the member. It may result in a referral to the Professional Conduct Panel which may reprimand or warn members. The Panel may also refer cases to the Disciplinary Tribunal which has additional powers, including the power to exclude members from membership of CILEx.

## Example of the online logbook on myCILEx

You will first need to login to myCILEx - go to the CILEx website and look for the login in the top right-hand corner of the homepage. Once logged in you will see a 'CPD Online' tab, under the 'For Members' section. This takes you to the CPD area of myCILEx. Clicking the 'Record CPD Activity' tab on the left takes you to your logbook. You must then scroll down and click 'Add New 2013 CPD record', you are now ready to enter your first CPD activity - you should see the box below.

**Add CPD Record**

CPD Year: 2013

Activity Date: 9 January 2013

CPD Type: ILEX Tutorial College CPD Updates

Non-CPD Activity:

Specialism Related:

Description: Completed ITC Update on Civil Litigation

Organiser:

Course Code:

CPD Hours / Duration: 4.00

Comments:

**Submit** **Reset** **Back To Summary**

The CPD must be undertaken in 2013 to be submitted as part of your 2013 log.

Click here for the drop-down-menu to select the area of your CPD.

Write a short description of your CPD activity here - you should also note which area the activity relates to - simply writing "ITC Update" is not enough detail.

Select the number of CPD hours that have been achieved from this specific activity.

You will need to decide whether or not the activity is 'Specialism Related'. There is a box that you must tick if this is the case. If it is not in your specialism leave this box empty, you won't need to tick the 'Non-CPD Activity' box - by not ticking either it will be counted as your non specialist CPD, making up, at most, half of your CPD in total.

Other fields such as 'Organiser', 'Course Code' and 'Comments' are not compulsory for completion. However, they prove useful for validity especially when you only have a very short description to write in the description box.

Please remember to 'Submit' this record once you have completed the required fields. This should then be visible on your logbook. You will be able to edit any logbook entries up until the point at which you click 'Submit 2013 CPD Log' - located at the bottom right of your logbook. This should only be done once you have ensured you have completed the minimum number of CPD hours required from your membership grade.

## CONTINUING PROFESSIONAL DEVELOPMENT REGULATIONS 2013

### A. Definition

- (1) Continuing Professional Development (CPD) is defined as :  
'The systematic maintenance, improvement and extension of the professional and legal 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 life.'
- (2) For the purpose of these regulations references to members means Fellows, Legal Accounts Executives, Graduate members, Associate members and Associate Prosecutor members of CILEx.

### B. CPD Requirement

- (1) The CPD year begins on 1 January and ends on 30 September.
- (2) Members of the Chartered Institute of Legal Executives (CILEx), resident either in the United Kingdom or overseas, with the exception of retired members, are required to undertake CPD. The amount of CPD to be undertaken during the year is as follows:
  - Fellows and Legal Accounts Executives must undertake a minimum of 12 hours CPD;
  - Associate Prosecutor members must undertake a minimum of 12 hours CPD;
  - Graduate members must undertake a minimum of 9 hours CPD; and
  - Associate members must undertake a minimum of 6 hours CPD.

Members must meet the CPD requirement which applies to their grade of membership as at 1 January 2013. A member who is registered during 2013 in a grade of membership which is subject to CPD requirements will not need to undertake CPD until the following year.

- (3) Excess hours over the minimum required may not be carried forward to the following CPD year.
- (4) At least half of the CPD hours completed during the year must be in the member's chosen specialist area ('the specialist area') and the rest may be in an area relevant to the member's professional development outside his or her chosen specialist area ('the non-specialist area').



- (5) CPD activities in a member's nominated specialist area may be claimed for up to all the required CPD hours per annum.
- (6) CPD activities in a member's non-specialist areas may be claimed for up to half of the required CPD hours per annum.
- (7) Members working outside legal practice are required to undertake the full CPD hours, but need not designate a specialist area.
- (8) A member must record CPD activities undertaken in the CPD year through the online logbook recording system. Sufficient information must be recorded to show the activity undertaken meets the guidelines for valid CPD activities. Valid CPD activities are described in Guidance to these rules and may be amended or varied from time to time.
- (9) Guidance to these rules sets out what hours may be claimed for various CPD activities.
- (10) A false declaration regarding completion of a CPD activity will be regarded as misconduct.

### **C Chartered Legal Executive Advocates**

- (1) Fellows who are CILEx Advocates are subject to the CPD requirements of the Rights of Audience Certification Rules, in addition to these regulations.
- (2) Chartered Legal Executive Advocates are required to complete 5 hours advocacy skills training and must complete the remaining 7 hours required under these Regulations

### **D Dispensation from CPD Requirements**

- (1) A member who is absent from employment during 2013, whether in legal practice or otherwise, for more than 6 months due to illness, unemployment or maternity or paternity leave, need not fulfil his or her CPD requirement for the year.
- (2) The reason for the absence and the dates must be entered on the member's logbook. Evidence of the reasons for absence from employment due to illness, unemployment, maternity or paternity leave, may be requested by IPS.

### **E Failure to Comply with CPD Requirements**

- (1) A member must complete his or her CPD logbook online by 30 September 2013.
- (2) A member who believes he will be unable to meet the CPD requirements by 30 September 2013 may apply for dispensation in respect of Regulation E(1). A request for dispensation must be made no later than 31 August 2013 and must include an explanation of the circumstances which have prevented the member from meeting the CPD requirements and an action plan to comply with the requirement by 31 December 2013.
- (3) Unless a dispensation has been granted under regulations D(1) or E(2), a member who fails to comply with the CPD requirements by 30 September 2013 will have the rights which attach to their grade of Membership suspended from 1 January 2014. They will not be able to use their grade title or designatory letters or, in the case of Fellows and immigration practitioners, exercise any of their practice rights unless they comply with the requirements.
- (4) If a member fails to comply with the CPD regulations by 31 December 2013, their conduct will be investigated under the Investigation Disciplinary and Appeals Rules and, if appropriate, referred to the Professional Conduct Panel as a breach of these Rules and the Code of Conduct. The Professional Conduct Panel has the power to reprimand or warn members regarding their conduct; impose conditions upon members or require them to give undertakings; or it may refer cases to the CILEx Disciplinary Tribunal. The Disciplinary Tribunal has additional powers to exclude a member from CILEx, or to fine or to make an order for costs against them.

## **F Alterations to the Regulations**

These Regulations are made by IPS under the powers accorded to it under its Memorandum and Articles of Association.

6 November 2012