

UNIT SPECIFICATION HANDBOOK

CILEx Level 3 Legal Services Competence Qualification

CILEx Level 3 Diploma in Providing Legal Services
(601/0275/5)

For learners who started the qualification prior to 1 September 2016 in England and Northern Ireland and for all learners in Wales

Issued: September 2017

Introduction

This handbook contains the CILEx unit specifications. These units are the building blocks of the following qualification: CILEx Level 3 Diploma in Providing Legal Services (601/0275/5).

This handbook should be read in conjunction with the CILEx Level 3 Diploma in Providing Legal Services Qualifications Handbook (601/0275/5), which sets out the structure of the Level 3 Competence Qualification.

Important:

This qualification (CILEx Level 3 Diploma in Providing Legal Services (601/0275/5)) should be used for:

- all learners who started the qualification prior to 1 September 2016 in England and Northern Ireland
- all learners in Wales

The revised Level 3 Competence qualification: CILEx Level 3 Diploma in Providing Legal Services (603/0122/3)* should be used for:

- all new starts from 1 September 2016 in England and Northern Ireland

** the unit specifications for the revised Level 3 Competence qualification: CILEx Level 3 Diploma in Providing Legal Services (603/0122/3) can be found in the CILEx Level 3 Diploma in Providing Legal Services (603/0122/3) Unit Specification Handbook*

The unit handbook is divided into three sections as follows:

Section 1: Mandatory units

Section 2: Optional group 1

Section 3: Optional group 2

Presentation of qualification units – an explanation of the unit specifications

Each unit specification is presented in the same way:

Title: each unit has its own title which seeks to succinctly convey the legal area to be studied and assessed.

Level: each unit has a level which identifies its difficulty. Level 3 equates to GCE A Level standard of difficulty, whereas Level 4 equates to first year undergraduate standard of difficulty.

The existence of common units between Level 3 and Level 4 competence qualifications, some of which are at Level 4, provide the learner with the opportunity to begin to achieve at a higher level.

Credit Value: Each unit has a credit value. Please see sections 3.1 and 3.2 of the Qualification Handbook for further information about credit.

Learning Outcomes: this column expresses the key aims of the unit. It is expressed in terms of a series of outcomes (i.e. “the learner will”) that the learner should know or understand or be able to do by the end of their learning programme.

Assessment Criteria: this column expresses the ways in which the learner should be able to demonstrate their achievement/understanding of the learning outcome (“the learner can”).

Indicative Content: this column attempts to describe the breadth and depth of activity, skills and knowledge through which the assessment criteria might be most relevantly and straightforwardly satisfied. It is important to understand that the content of this column is intended as guidance for the practical interpretation of the assessment criteria and, hence, is indicative and not intended to be exhaustive or restrictive. The indicative content column is not intended to force learners or providers into using specific forms/types of evidence or into performing activity over a set range or over a set certain number of occasions. Ultimately, learners and providers must make their own judgments about how best to satisfy an assessment criterion in relation to a learner’s role.

Additional information about the unit: this grid of boxes at the end of each unit summarises key background information about the unit, e.g., who owns the unit, its start and review date, and the unit’s relationship to other standards / areas.

Section 1- Mandatory units

Unit Number	Unit Title	Page Numbers
1	Business and ethics for the legal sector	5-12
2	Communicate effectively with people maintaining the security of information	13-18
3	Comply with legal, organisational and regulatory requirements in the provision of legal services	19-21
4	Draft legal documents using precedents	22-26
5	Manage files for legal matters	27-32
6	Receive, transmit, store and retrieve information	33-35
5	Plan and manage your own workload (common unit)	36-41

Title:	Unit 1 Business and ethics for the legal sector
Level:	3
Credit value:	4

Learning outcomes	Assessment criteria	Indicative content
<i>The learner will:</i>	<i>The learner can:</i>	
1 Understand the business models that operate within the legal services sector	1.1 Describe the different business models that operate within the legal sector	1.1 Being able to describe the main business models used for legal services e.g. LLP, sole practitioner, company, partnership, local authority or charitable/voluntary body with recognition of their similarities and differences. Recognition of alternative business structures and impact of the Legal Services Act 2007 on business models for legal services.
	1.2 Explain the business model that is used by your own organisation and how it impacts on the organisation's business	1.2 Applying one of the models identified in IC 1.1 to employer's own business. Explaining the management structure in own firm or department. Consideration of whether the business model restricts the type of legal service that can be provided and why – e.g. is your employer specialised or niche and therefore limited to one area of legal service (conveyancing, civil litigation, employment, family) or does employer's business provide legal services in a variety of areas? Is business part of a larger brand or network? Does business provide virtual services? Does business just provide legal services for itself (local authority, company)?

	<p>1.3 Explain how the business model of the organisation influences own area of practice</p>	<p>1.3 Explaining the area of practice in which the student works and how this is impacted by the organisation's business model e.g. has business model of employer enabled expansion of practice areas or has it reduced practice areas? Is business linked in with other independent practices providing network or brand of service e.g. conveyancing, employment, family? Does business have certain large clients e.g. corporate bodies in employment; housing developers in conveyancing?</p>
<p>2 Understand how own organisation manages relationships with clients</p>	<p>2.1 Describe the key responsibilities of the organisation and client in any transaction</p>	<p>2.1 Recognising the legal and professional responsibilities in legal services in relation to the following: client care in relation to external clients, costs information in relation to external clients e.g. estimates in civil litigation and family matters; fixed quotes in conveyancing; CFAs and DBAs; protecting the client's/organisation's personal information e.g. data protection procedures within the organisation; ensuring confidentiality in relation to the client's matter e.g. organisational policies on who has access to the information but contrast with duty to disclose certain information to the court or to other professionals in family and civil litigation cases; ensuring there is no conflict of interest either between external clients or between external client and solicitor e.g. not taking instructions from anyone other than the client or their authorised agent in conveyancing, wills and family matters or acting for both parties in conveyancing or civil litigation matters or checking the solicitor supervising the matter has no interest in the outcome; complying with the Solicitors Accounts Rules; checking for money laundering and identity verification e.g. in conveyancing, avoiding discrimination, ensuring equality and diversity and health and safety within the organisation</p> <p>Recognising the client's responsibilities:</p>

		being honest with facts and instructions; keeping the person/team working on the client's case up to date with any changes in the information previously provided; paying costs and disbursements when agreed; providing necessary documentation to enable organisation to comply with legal and professional obligations and to enable appropriate legal advice and action to be taken (e.g. contract of employment in employment cases; financial disclosure in family and conveyancing cases).
	2.2 Describe the process of agreeing a contract with a client	2.2 Taking initial personal details from client for contact purposes; establishing the work the client requires; establishing what legal service needs to be provided; directing client to appropriate person; the time scale in which the service will be provided; the costs and disbursements involved e.g. fixed quote in conveyancing, hourly rates in private client; estimates in family, civil litigation and employment with regular reviews; identity requirements; formation of the contract in writing e.g. client care letter or terms of business; obtaining client's agreement to contract.
	2.3 Explain the contractual obligations that apply between the organisation and the client	2.3 Key legal obligations under the Supply of Goods and Services Act 1982 e.g. duty of care and skill; duty to provide service within a reasonable time; duty to charge a reasonable fee; ordinary and special terms and conditions in the firm's client care letter/ terms of business.
	2.4 Explain the key considerations in managing client expectations	2.4 Maintaining professional boundaries; explanation of complex concepts and procedures; providing clear, relevant and concise advice and checking client understands; ensuring client is aware of both positive and negative aspects to case e.g. risk of not being successful either in claim or defence in employment and civil litigation; possibility of losing house purchase in conveyancing; necessity for agreement rather than

		dispute in family particularly if children are involved; recognising limits of own responsibility and knowledge, referring to appropriate colleague/supervisor if necessary.
	2.5 Describe the impact on the client and the organisation of not fulfilling contractual agreements	2.5 Breach of contract and legal remedies e.g. interest payable or reduction in fees; damages, specific performance and possibility of rescission; effect on relationship between client and people within the organisation; potential complaint by client; bad publicity; non-payment of costs; loss of future work to organisation; potential negligence action by client; possibility of client instructing another firm.
3 Understand the ethical and business principles that apply in a legal services context	3.1 Explain the fundamental principles of ethical behaviour in a legal services context including: <ul style="list-style-type: none"> • Integrity • Objectivity and impartiality • Transparency • Professional and technical competence and due care • Confidentiality • Professional behaviour • Conflicts of interest 	3.1 Explaining the meaning of the fundamental ethical principles listed in AC 3.1 and why it is important for the legal advisor to follow them. Examples of situations where the legal service supplied breaches one or more of the ethical principles of behaviour e.g. disciplinary decisions reported by SRA or CILEx or examples of replies to questions posted on SRA website
	3.2 Identify the relevant legal and regulatory requirements affecting the legal sector	3.2 Naming the main statutes that govern the legal professions e.g. Legal Services Act 2007, Legal Aid, Sentencing and Punishment of Offenders Act 2012, Solicitors' Act 1974. Naming the main professional bodies concerned with the legal profession i.e. Law Society, Bar Council, CILEx. Naming the regulatory bodies for each professional body i.e. SRA, BSB, ILEX Professional Standards

	3.3 Explain the role of professional bodies in the legal sector	3.3 Explaining what the professional bodies do for members e.g. improving the reputation of the profession plus regulation and disciplinary proceedings, providing advice, helplines, guidance, library services, practice notes, professional journals, lobbying government, guidance for those entering the profession.
	3.4 Explain the importance of Codes of Conduct in the legal sector	3.4. Explaining why a Code of Conduct is necessary e.g. ensures quality and standard of service to clients, ensures organisation is managed appropriately and employees supervised, ensures clients' money is kept secure and used appropriately, ensures no discrimination or inequality, ensures no advantage is taken of clients, ensures organisations deal with complaints appropriately and enables regulatory body to take action if there is breach.
	3.5 Identify risks to the organisation through improper practice	3.5 Explaining what can happen both to an individual and the organisation employing that individual when there is a breach of the regulations e.g. reprimand, conditions attached to practising certificate, disciplinary action, fine, compensation, suspension from practice, striking off intervention in organisation. Explaining the impact on the organisation's business e.g. loss of clients, bad publicity, potential negligence claims, possibility of indemnifying any loss caused, joint liability of partners/directors.
	3.6 Explain the importance of maintaining professional boundaries with clients	3.6 Explaining the risks if the professional boundary is breached e.g. conflict of interest between legal advisor and client, emotional involvement with client or case; lack of objectivity about the case, potential for client to put undue pressure or influence on advisor or vice versa, giving client unrealistic expectations, doing chargeable work for free thereby reducing organisation's profit.

	<p>3.7 Describe the importance to organisations of following relevant organisational procedures in relation to client money and potential money laundering issues</p>	<p>3.7 Explaining the procedures used by own organisation in relation to receipt and use of client money (where appropriate) e.g. separate client account and office account, how receipt of money is tracked within organisation, how payment out of money is authorised in organisation, how amounts requested are checked and authorised. Explaining what money laundering is and what checks own organisation has in place to prevent money laundering e.g. identity checks, compliance officer. Explaining what own organisation requires if there is suspicion of money laundering e.g. money being received from non-client, large cash sums provided when purchasing a house.</p>
	<p>3.8 Describe the organisation's method of charging in own area of practice</p>	<p>3.8 Explaining how charges/fees are calculated within own department e.g. fixed quotes in conveyancing, fixed fees/estimates in family, employment and civil litigation, hourly charging rates in private client, DBAs and CFAs.</p>
	<p>3.9 Explain the importance of working within own limits of responsibility and capability</p>	<p>3.9 Explaining what own work/ responsibilities are in own practice area and explaining when you would refer work to your supervisor/ colleague e.g. difficult client, client request, unusual instructions, problems arise, lack of understanding of the issue and why this is important for you to do so e.g. prevents errors, keeps supervisor/colleague aware of issues, prevents escalation of problems, more experience required, avoids escalating costs, prevents client complaints and potential negligence claims.</p>
	<p>3.10 Identify own organisation's social policy procedures, including corporate social responsibility (CSR)</p>	<p>3.10 Explaining whether own organisation provides pro bono work i.e. legal services free or at a reduced rate e.g. rota at CAB or Legal Advice Centre, day clinics, attendance at charitable or voluntary body, community helpdesks or is involved in community volunteer days or schemes; how often this occurs; the type of legal service offered (if any) and the people within own organisation</p>

		who carry out this work; the concept of corporate social responsibility (CSR) and its role in own organisation.
4 Be able to apply good business and ethical practice in own area of responsibility	4.1 Follow the appropriate ethical principles when working on client matters and when working with colleagues	4.1 This IC is about implementing the actions and considerations in IC 3.1.
	4.2 Maintain professional boundaries when working with clients	4.2 This IC is about implementing the actions and considerations in IC 3.6. Clients can be external clients or internal clients e.g. colleagues from another department.
	4.3 Follow regulatory and organisational procedures for the confidentiality of client details	4.3 This IC is about implementing the actions and considerations in 3.1 and 3.4.
	4.4 Follow regulatory and organisational procedures in relation to client money and potential money laundering issues	4.4 This IC is about implementing the actions and considerations in IC 3.7.
	4.5 Ensure that the appropriate method of charging is applied to work undertaken	4.5 This IC is about implementing the actions and considerations in IC 3.8.
	4.6 Work within own level of responsibility and capacity	4.6 This IC is about implementing the actions and considerations in IC 3.9.



Additional information about the unit	
Unit aim(s)	This unit is about understanding and applying good ethical and business principles in the legal sector
Unit review date	31 st August 2015
Details of the relationship between the unit and relevant national occupational standards (if appropriate)	SFJ IC9 Comply with legal, organisational and regulatory requirements in the provision of legal services
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Services
Location of the unit within the subject/sector classification system	Law and Legal Services
Name of the organisation submitting the unit	CILEx
Availability for use	Shared
Availability for delivery	1st September 2013

Title	Unit 2 Communicate effectively with people maintaining the security of information
Level	3
Credit value	3

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Understand how to communicate with people.	1.1 Identify the legislation, organisational policies and procedures that apply to communicating with people	1.1 Understanding the different types of communication (oral, written, business and personal) and applicable legislation such as the Data Protection Act 1998, the Equality Act 2010, Computer Misuse Act 1990, the SRA Code of Conduct. Being aware of the organisational policies affecting communication e.g. the security and confidentiality of information and the need to ensure equality and the accessibility of information using appropriate formats.
	1.2 Explain the features of effective communication	1.2 Knowing that unambiguous and appropriate explanation and communication both orally and in writing, ensures clear understanding at all times and comprehension by both parties, and that it avoids misunderstandings and possible future disputes and underpins the entire professional relationship. Appreciating the role of listening as without this may not understand clients' needs and circumstances.

	<p>1.3 Describe techniques for overcoming barriers to effective communication, (including those that are personal, environmental and social)</p>	<p>1.3 Recognising potential problem areas such as language or cultural differences e.g. consider if an interpreter is necessary, considering the environment for discussions e.g. ensuring privacy and freedom from interruptions, using appropriate non-verbal communication; having a very clear idea and understanding of the other person's needs and concerns and acting accordingly; ensuring that the other party fully understands what has been discussed; keeping a detailed record of all relevant information discussed and following up the discussion with a clear, and preferably written, summary to the other person; being aware of your own body language and that of others; being able to listen actively.</p>
<p>2 Understand how to maintain the security of information in communications with people</p>	<p>2.1 Identify the legislation, organisational policies and procedures that apply to the security and management of information</p>	<p>2.1 Understanding the importance of the Data Protection Act 1998 and the guidance in the SRA Code of Conduct on professional obligations on confidentiality of information received (Chapter 4); knowing the measures to be adopted with regard to the maintenance of security of such information and being aware of the professional and disciplinary consequences of breach of the Code and the civil and criminal consequences of breach of the DPA; knowing what information can and cannot be divulged and the circumstances in which disclosure may be permitted or required by overriding legal obligation e.g. Court Order, search warrant, under Proceeds of Crime Act 2002; knowing own organisation's policies, standards and procedures which must also be observed e.g. relating to items such as locking of filing cabinets and doors, restriction of access to specific parts of the building, e-mail, fax and</p>

		telephone communication policies, disaster recovery contingencies, data back-up etc.
	2.2 Identify types of information that might be sensitive and/or confidential	2.2 Distinguishing between commercial and personal and sensitive and confidential information i.e. some confidential information about a company may be commercially sensitive rather than confidential. Understanding this will depend on the nature of the job in hand or the legal advice client needs e.g. personal details, ethnic origins, political affiliations, religious beliefs, sexual preferences, criminal record, state of health, financial position e.g. in specific areas of legal work, such as family cases, might be information relating to divorce, domestic violence, abuse, child protection issues. Also, in private client work, the entitlement, identity or even existence of some beneficiaries under an estate, e.g. illegitimate children, former or extra-marital partners etc. can be extremely sensitive and confidential.
	2.3 Describe the appropriate precautions to be taken when communicating confidential and/or sensitive information	2.3 Encouraging and following protocols for confidentiality within the organisation e.g. only discussing or communicating on a need to know basis only and only disclosing what needs to be disclosed internally or externally, knowledge of any sanctions for breach such as disciplinary action in extreme cases; taking all necessary and appropriate precautions to maintain confidentiality; deciding on any appropriate security and storage facilities, both physical and electronic, for files containing confidential information e.g. lock and key, password protection and/or other information barriers. Considering carefully whether information has to be divulged at all and, if so, obtaining an

		appropriate undertaking as to confidentiality from any third party to whom such confidential or sensitive information has to be communicated; ensuring that any information, advice or news is communicated appropriately to the recipient and to the circumstances e.g. perhaps face to face rather than by e-mail etc.
	2.4 Explain the reasons for alerting an appropriate person when issues arise about the handling of/misuse of information	2.4 Understanding that misuse of information can have very serious professional, civil and criminal consequences for anyone involved; meeting statutory and organisational obligations and procedures; mitigating consequences of misuse.
3 Be able to communicate with people	3.1 Identify and use four different methods of communication which meet the different needs of people	3.1 Implementing actions in IC 1.2 in relation to the features of effective communication. Distinguishing between physical needs e.g. hearing impairment and other needs such as availability, privacy, protection. Matching effective communication with needs of person; e.g. face to face personal meetings if person prefers this, correspondence by letter, e-mail or fax if person is hard of hearing, telephone calls or Skype/video conference if person is unable to travel; use of interpreter if person cannot speak the language.
	3.2 Identify and use different methods to reduce any barriers to effective communication	3.2 Fostering an atmosphere of openness, trust and confidence and building appropriate professional relationships wherever possible so that belief and trust are maximised; simply being a person of your word and doing exactly what you say you will do when you say you will do it; using effective communication techniques such as active listening and open and closed questions as necessary in discussions.

	<p>3.3 Explain precautions necessary when communicating sensitive and/or confidential information</p>	<p>3.3 Implementing actions in IC 2.3, being able to explain and state what they are and why they are in place to those who might not know and who might need to understand the reasons.</p>
	<p>3.4 Explain support available when experiencing difficulties in communicating</p>	<p>3.4 Identifying different types of communication difficulties that can arise e.g. technical issues with email, fax, postal system, misunderstanding with client, issues with colleagues. Understanding support available for different types of communication difficulties e.g. IT support for technical difficulties with computer system, facilities for postal/dx issues; supervisor or partner for client issues; for instance, partner, if client unhappy with advice, but if client needs an interpreter then can ask colleagues/supervisor if know of any; supervisor, department head, personnel for colleague issues.</p>

Additional information about the unit	
Unit aim(s)	This unit is about understanding the principles of good communication with different people, both clients and colleagues and being able to put those principles into practice.
Unit review date	29 th February 2016
Details of the relationship between the unit and relevant national occupational standards (if appropriate)	SFJ IC9 Comply with legal, organisational and regulatory requirements in the provision of legal services
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Services
Location of the unit within the subject/sector classification system	Law and Legal Services
Name of the organisation submitting the unit	City and Guilds of London Institute
Availability for use	Shared
Availability for delivery	1st September 2013

Title:	Unit 3 Comply with legal, organisational and regulatory requirements in the provision of legal services
Level:	3
Credit value:	3

Learning outcomes <i>The learner will:</i>	Assessment criteria <i>The learner can:</i>	Indicative content
1 Understand the principles of compliance with legal, organisational and regulatory requirements	1.1 Identify the regulatory requirements relevant to the provision of legal services in own area of practice	1.1 Naming and being familiar with the key regulatory requirements e.g. SRA Code of Conduct, Money Laundering Regulations, Solicitors' Accounts Rules, that apply to own area of practice. In relation to the SRA Code of Conduct, identifying the key Principles that apply to own area of practice.
	1.2 Identify the key legislation which must be complied with in the provision of legal services in own area of practice	1.2 Naming the relevant Acts that apply to the legal services supplied by own organisation e.g. Legal Services Act 2007, Access to Justice Act 1999, Courts and Legal Services Act 1990, Solicitors' Act 1974 and the Legal Aid, Sentencing and Punishment of Offenders Act 2012, and outlining what the Acts provide in relation to legal services in own practice area e.g. reserved legal activities, rights of audience, the regulatory objectives, legal services complaints, other lawyers.
	1.3 Describe the importance of following an ethical approach in the provision of legal services in own area of practice	1.3 Identifying key ethical principles that should be applied to own area of practice e.g. integrity, objectivity, independence, professional competence, confidentiality and explaining why they are important in own area of practice.

2 Understand the procedures in relation to compliance with legal, organisational and regulatory requirements	2.1 Explain how to seek guidance on compliance in relation to ethical issues	2.1 Explaining how own organisation complies with SRA Code of Conduct in relation to management of the business e.g. compliance officer, supervision and training, risk management, data protection and how you would seek guidance on questions of ethics either within the organisation itself or by use of Approved Regulator's information e.g. SRA website.
	2.2 Identify the procedures to follow where a possible contravention of legal, organisational and regulatory requirements is identified	2.2 Explaining in outline own organisation's procedure for identifying or reporting compliance failures e.g. is there a compliance officer; how are failures recorded; are there risk management procedures in place and what the main consequences of failure to comply with the requirements are e.g. disciplinary action, complaint to Legal Ombudsman, bad publicity.
3. Be able to maintain a current understanding of legal, organisational and regulatory requirements in own area of practice	3.1 Check sources of legal, organisational and regulatory information for changes	3.1 Identifying relevant sources for legal, organisational and regulatory information e.g. use of management/senior colleagues within own organisation; on line legal service providers; websites of Approved Regulators and explaining how to keep up to date e.g. internal and external professional training, website alerts.
	3.2 Seek clarification from the appropriate source where requirements are unclear	3.2 Explaining how you would access support to help you understand the legal, organisational and regulatory requirements e.g. discussing with senior colleagues, in house knowledge, use of specialist legal websites, use of professional body help line.
4 Be able to demonstrate compliance with legal, organisational and regulatory requirements	4.1 Follow legal, organisational and regulatory requirements when carrying out work activities under supervision	4.1 This IC is about implementing the actions and considerations in IC 2.1 - 3.2 in relation to own work within own organisation.
	4.2 Follow relevant procedures where a possible contravention of legal, organisational and regulatory requirements is identified	4.2 This IC is about implementing the actions and considerations in IC 2.1 - 3.2 in relation to own work within own organisation.

Additional information about the unit	
Unit aim(s)	This unit is about understanding and applying the principles of compliance with legal, organisational and regulatory requirements in own area of practice.
Unit review date	31 st August 2015
Details of the relationship between the unit and relevant national occupational standards (if appropriate)	SFJ IC9 Comply with legal, organisational and regulatory requirements in the provision of legal services
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Services
Location of the unit within the subject/sector classification system	Law and Legal Services
Name of the organisation submitting the unit	CILEx
Availability for use	Shared
Availability for delivery	1st September 2013



Title	Unit 4 Draft legal documents using precedents
Level	3
Credit value	5

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Understand the processes for drafting legal documents	1.1 Describe legal and organisational requirements for drafting legal documents	1.1 Understanding the legal and regulatory requirements that apply to legal documents e.g. court documents must comply with relevant Civil Procedure Rule provisions such as witness statements must contain a statement of truth; e.g. client retainer letter must comply with regulatory requirements of SRA; wills should contain an attestation clause and must comply with s9Wills Act 1837. Following organisational requirements for house style of legal documents such as formal advices and client care letters.
	1.2 Identify the different types of legal documents to be drafted within own area of practice	1.2 Having a good understanding of area of practice and relevant stages and the various documents involved e.g. legal formalities to grant and register a residential lease. Appreciating that different stages require different legal documents e.g. Lease Agreement, Form OS1, Form TR1, Completion Information and Undertakings Form. Demonstrating an awareness of the status and purpose of different types of legal documents within area of practice e.g. Damages Based

		Agreements in both Civil Litigation and Employment set out funding arrangements.
	1.3 Explain how to identify appropriate legal precedent documents	1.3 Distinguishing between types of standard legal documents such as procedural forms e.g. court forms, conveyancing forms, and other legal precedents such as legal agreements e.g. Leases, Wills, or pleadings e.g. statements of case in civil litigation and witness statements for employment tribunals. Ensuring precedent forms are current. Obtaining other legal precedents from departmental or organisation's precedent bank, or legal service companies such as PLC or LexisPSL.
	1.4 Explain how to identify relevant content in precedent documents to be used for drafting purposes	1.4 Distinguishing between 'boilerplate' clauses (clauses in an agreement relating to its interpretation and general operation) that may be safe to use for drafting purposes e.g. standard definitions, matters of construction or administration, and clauses relating to the particular subject matter e.g. fees, rights and obligations. Ensuring source of precedent is reliable otherwise may inherit mistakes. Adopting structure rather than content if factual position not the same i.e. using headings, style. Understanding dangers of using content from old precedents that may have archaic language and not reflect current law or which may not make sense and/or be suitable for that particular transaction.

2 Understand the principles of design of legal documents	2.1 Identify when it is acceptable to adapt precedents for legal documents	2.1 Ensuring that regulations allow adaptation of standard forms e.g. land registry accepts own organisation's TR1 forms. Confirming any modifications to content of legal precedents meets with procedural, legal and regulatory requirements e.g. Family Procedural Rules relating to Care Orders are observed; and that the legal effect of the document remains unchanged.
	2.2 Describe the structure and content of legal documents in your own area of practice	2.2 Implementing the actions and considerations in IC 1.1. Following structure required e.g. for a defence in civil litigation setting out title, parties' names, heading, paragraph headings, statement of truth. Adapting content to match factual scenario and represent accurate and current law e.g. an application for a Supervision Order shows why a child is likely to suffer 'significant harm' if left in the care of the parent e.g. because the level of care being given is not very good, or the child is beyond control.
	2.3 Explain how to correct different types of errors in legal documents	2.3 Understanding drafting techniques to prevent use of 'legal jargon' as opposed to legal terms of art; easy to understand terms, no repetition of words or paragraphs unless required. Distinguishing between drafting errors e.g. spelling, punctuation, grammar, and substantive errors in content e.g. incorrect or missing information, unnecessary provisions or paragraphs. Understanding process of review following drafting e.g. best practice to print out in hardcopy to read, have a period of reflection before reading through, use of spellcheck to identify typos proof reading to identify drafting errors etc.

3 Be able to draft legal documents using precedents	3.1 Identify the purpose, content and format details of the legal document	3.1 Understanding the link between the purpose, content and format of legal documents e.g. a Lease Agreement sets out the terms upon which the property is leased such as the fees, rights and obligations of each party and what happens if any term is breached. The content must therefore ensure the client's position is both reflected and protected, as well as meeting legal requirements to enable the purpose to be fulfilled. The content will be set out in the format required by the law and own organisation.
	3.2 Obtain information from relevant sources to inform the content of the legal document including: <ul style="list-style-type: none"> • choice of precedent clauses • other relevant information 	3.2 Distinguishing between legal and factual sources e.g. client will provide factual information, own organisation has legal information from fee earners' knowledge, legal resources and precedents. Knowing what resources are available and how to access them. Implementing the actions and considerations in ICs 1.3-1.4.
	3.3 Adapt the precedent to suit the purpose of the legal matter	3.3 Implementing the actions and considerations in IC 2.1.
	3.4 Prepare draft content of the legal document for review and approval by a supervisor	3.4 Drafting the document implementing the actions and considerations in ACs 1 and 2. Highlighting any areas you want to draw to supervisor's attention for any reason e.g. lack of information to complete or this is an area of law that is not clear.
	3.5 Review draft legal documents to correct any errors with: <ul style="list-style-type: none"> • spelling • grammar • punctuation • inconsistencies • missing information 	3.5 Implementing the actions and considerations in IC 2.3.

Additional information about the unit	
Unit aim(s)	This unit is about understanding the principles and processes of drafting legal documents using precedents and being able to draft legal documents using precedents.
Unit review date	31 st August 2015
Details of the relationship between the unit and relevant national occupational standards (if appropriate)	N/A
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Services
Location of the unit within the subject/sector classification system	Law and Legal Services
Name of the organisation submitting the unit	CILEx
Availability for use	Shared
Availability for delivery	1st September 2013



Title	Unit 5 Manage files for legal matters
Level	3
Credit value	3

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Understand the principles of legal file management	1.1 Explain the organisational and regulatory requirements for opening new files for legal matters	1.1 Knowing that there are a number of important requirements when new files are opened; knowing that the SRA Code of Conduct requires all clients' affairs to be kept confidential and separate so that a record of each client and each matter must be maintained in a separate file and stored separately, that identity checks must be carried out e.g. by providing passport or driver's licence and that due diligence and risk assessments need to be completed in order to comply with The Proceeds of Crime Act 2002 and The Money Laundering Regulations 2007; being aware also that items such as a client care letter must be prepared, a conflict of interest search carried out, all necessary client contact and other important details e.g. any linked or connected files recorded in a file summary sheet or similar, that key dates should be recorded in a central system or key date diary, that important documents such as deeds must be stored separately and securely (see 1.6 below) and that all files must be maintained in a filing system which is easily accessible and understandable by others.

	<p>1.2 Describe the organisational and regulatory requirements for recording decisions about client instructions</p>	<p>1.2 All instructions from a client must be recorded in writing and maintained on the client file for clarity and in order to avoid any misunderstanding or disagreement in the future about what was said or discussed; wherever practicable, the instructions should also be confirmed to the client in writing; knowing own organisation's internal policies about how such records and confirmation should be made.</p>
	<p>1.3 Explain how to identify and address outstanding actions on legal files</p>	<p>1.3 Ascertaining quickly and accurately precisely what needs to be done on any particular file at any time as failure to take any necessary action could result in a claim being made against the organisation; appreciating that all tasks, timetables, key dates, time limits etc. must be adequately diarised, both on the file itself and in a detailed diary system either in hard copy or electronic format; a number of types of work are dealt with by electronic case management systems which flag all necessary actions on specific files and therefore being fully conversant with how such systems operate if required to deal with that type of work or system.</p>
	<p>1.4 Explain the legal, organisational and ethical requirements for making and complying with formal "undertakings"</p>	<p>1.4 Understanding that an undertaking constitutes a binding promise, whether oral or written, enforceable personally against the solicitor or organisation, regardless of whether or not the organisation is able to obtain redress against or re-payment from the person on whose behalf it was given. Being aware that such a binding undertaking can be given by anyone in the organisation and not just by a qualified solicitor, therefore, being extremely careful about the circumstances in which an undertaking is given, whether the organisation has authority</p>

		<p>from the client to give it at all and complying with all internal policies and procedures about who is and who is not permitted to give undertakings on behalf of the organisation; realising also that breach of an undertaking not only incurs personal liability but also constitutes a breach of the SRA Code of Conduct which could result in disciplinary sanctions against the people concerned.</p>
	<p>1.5 Explain the procedures for recording and filing the material in legal files</p>	<p>1.5 All information and documents have to be kept and maintained in a way that is readily understandable not only by the individual with day to day conduct of the matter but by anyone else who may have to look at or deal with the file in his/her absence or ultimately by the court in the event of any later dispute between the client and the organisation; e.g. the name of the client and the matter should be printed on the file cover, correspondence must be kept together in proper chronological order and all documents and other papers etc. must be kept in the file separately and bundled together in a neat and orderly manner and all electronic documents must also be kept in a similar type of computerised filing system.</p>
	<p>1.6 Identify methods for dealing with different types of material, including:</p> <ul style="list-style-type: none"> • original documents • electronic items • items that degrade easily 	<p>1.6 Appreciating that there are some types of material that need to be kept or stored by the organisation where simple storage in files and storage cabinets is not sufficient; considering what materials would come under this heading e.g. x-rays, photographs or similar items which might fade in time, old deeds and documents of title, old wills and any other items which may need to be stored in specific and/or climate-controlled conditions; understanding as well that some types of original documents, such as title deeds and wills, may also need to be stored in more</p>

		secure and or fire-resistant storage for safety purposes and ensuring that back-up copies of electronically held documents are made but kept separately.
	1.7 Describe the features of legal files in relation to content and format	1.7 See also 1.1, 1.3, 1.5 and 1.6 above but, in addition, legal files must be neat and tidy, contain all the documents, papers and correspondence relevant to that file and nothing else; realising that client confidentiality must be maintained at all times and with paper based files, trying to ensure that even the name of the client on the outside of the file is not readily visible to anyone outside the organisation. With electronic files, ensuring confidentiality by password protection and screen savers as appropriate within the organisation.
	1.8 Describe the procedures for checking that relevant documentation has been correctly completed	1.8 Each organisation will have its own internal procedures and checklist for ensuring that documentation is correctly completed but the essentials would include safeguards such as no legal work done, advice given, or new file or financial account opened or a unique file number allocated until all file-opening procedures had been completed and checked off and due diligence, identity and conflict checks carried out and signed off by the appropriate senior person in the organisation.
2 Be able to manage files for legal matters	2.1 Establish the current status of legal matters by referring to the correct legal files	2.1 See 1.1 to 1.7 above but generally maintaining files so that the current position can easily be ascertained from the file itself either by keeping the file in proper order and/or by use of a summary sheet or checklist at the front of the file highlighting the stage the transaction has reached e.g. receipt of searches/expiry dates and

		exchange of contracts in a property transaction, Acknowledgement of Service and application for decree nisi in a divorce matter etc. making sure that the file is always up to date, that loose filing is dealt with on a daily basis and that, when not being worked upon, the file is put in its proper place within the filing and storage system.
	2.2 Address issues arising with legal files in accordance with legal and organisational requirements	2.2 In order to comply with the SRA Code of Conduct, the service provided to a client must be competent and delivered in a timely and efficient manner; dealing with any issues or difficulties that may arise, competently and within an appropriate timescale, taking account of the client's needs and circumstances; reporting any such issues which cannot be quickly resolved or are outside the individual's area of competence to the supervisor.
	2.3 Accurately record and file all material relevant to the legal matter	2.3 Complying with all the points in 1.5 above.
	2.4 Record all file decisions and actions in accordance with organisational requirements	2.4 Implementing ICs 1.2 and 1.3.
	2.5 Organise files in a logical order taking into account organisational requirements	2.5 Implementing ICs 1.1, 1.5, 1.6 and 1.7.
	2.6 Store files in accordance with legal, regulatory and organisational requirements	2.6 Implementing IC 1.6.

Additional information about the unit

Unit aim(s)	This unit focuses on the skills and knowledge needed to manage legal files. In preparing legal files learners are expected to establish the current status of the legal matter, and distinguish between different types of case materials.
Unit review date	31 st August 2015
Details of the relationship between the unit and other standards or curricula (if appropriate)	SFJIC6 Prepare and submit files for legal matters
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Services
Location of the unit within the subject/sector classification	15.5 Law and Legal Services
Name of the organisation submitting the unit	Chartered Institute of Legal Executives (CILEx)
Availability for use	Shared
Availability for delivery	1 st September 2013

Title	Unit 6 Receive, transmit, store and retrieve information
Level	2
Credit value	2

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Understand the requirements for receiving, transmitting, storing and retrieving information	1.1 Identify the legal and organisational requirements for receiving, transmitting, storing and retrieving information	1.1 Identifying the key principles of the Data Protection Act e.g. processing data fairly and lawfully, processing personal data for specified purposes, information standards; and key aspects of the organisation's policy concerning receipt, transmission, storage and retrieval of information e.g. who is privy to the information, timescale within which information must be transmitted, stored or retrieved; security features; staff training, in both electronic and paper based systems.
	1.2 Explain the different types and purposes of information required in your area of responsibility	1.2 Explaining the different types of information to be dealt with e.g. telephone calls, emails, letters, memos, minutes, face to face communication, maps and plans, faxes, USB sticks, tapes and CD's, hard copy files, databases, and the purpose of these e.g. to instruct to do a task, to be kept informed, to be required to meet or attend, to discuss approach, to collate client's case, to prepare documentation, to file appropriately, to keep records.

	1.3 Explain the organisational processes for handling information	1.3 Explaining how own organisation handles information e.g. procedures for dealing with post and emails, procedures for filing, procedures for recording information accurately, legibly and completely, procedures for releasing information, procedures for passing on information, procedures for dealing with problems with receipt, storage, transmission or retrieval of information.
2 Be able to receive and transmit information	2.1 Record information consistent with organisational policy	2.1 This IC is about implementing the actions and considerations in IC 1.1 and 1.3 in relation to own work within own organisation e.g. attendance notes, letters, print screen of database/folder, record of money received, invoices, undertakings.
	2.2 Pass on accurate information to the appropriate person	2.2 This IC is about implementing the actions and considerations in IC 1.1 and 1.3.
	2.3 Transmit information according to legal and organisational requirements	2.3 This IC is about implementing the actions and considerations in IC 1.1 and 1.3.
	2.4 Provide information to the appropriate person by the agreed times	2.4 This IC is about implementing the actions and considerations in IC 1.1 and 1.3.
	2.5 Maintain confidentiality of information received or transmitted	2.5 This IC is about implementing the actions and considerations in IC 1.1.
	2.6 Report any problems with receiving or transmitting information to the appropriate person	2.6 This IC is about implementing the actions and considerations in IC 1.1 and 1.3.
3 Be able to store and retrieve records	3.1 Locate the correct records for their intended purpose	3.1 This IC is about implementing the actions and considerations in IC 1.2.

	3.2 Send records on time to the correct location	3.2 This IC is about implementing the actions and considerations in IC 1.2.
	3.3 Store records, in accordance with organisational requirements	3.3 This IC is about implementing the actions and considerations in IC 1.1 and 1.3.
	3.4 Report any problems with storing or retrieving records to the appropriate person	3.4 This IC is about implementing the actions and considerations in IC 1.1 and 1.3.

Additional information about the unit	
Unit aim(s)	This unit is about receiving transmitting, storing and retrieving information within own area of responsibility, following organisational requirements and maintaining confidentiality.
Unit review date	30 th September 2016
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Services
Location of the unit within the subject/sector classification	15.5 Law and Legal Services
Name of the organisation submitting the unit	Skills for Justice
Availability for use	Shared
Availability for delivery	1 st September 2013



Title	Unit 5 Plan and manage your own workload
Level	3
Credit value	2

Learning outcomes	Assessment criteria	Indicative content
The learner will	The learner can:	
1 Understand how to plan own workload	1.1 Explain how to prioritise own workload	1.1 Identifying: what needs to be done and timescale available; whether workload requires to be broken down into smaller units e.g. first draft of a will (private client work) statement or letter; prioritising work according to criteria e.g. time or importance; recording priority deadlines e.g. imminent exchange of contracts (conveyancing), execution of a will for a dying client, meeting deadlines agreed with other agencies e.g. in child protection proceedings or client deadlines; managing workload according to priority e.g. establishing and following work plan according to need for action; allowing some flexibility to deal with unforeseen work, illness e.g. court application, employment hearing tribunal.
	1.2 Explain how to plan pieces of work according to their urgency and importance	1.2 Identifying: what is urgent and important e.g. court/tribunal date, completion of contracts for the sale/purchase of a new residential lease, or client commitment; the impact of not meeting deadline e.g. sale of property falling through, client

		complaint; priority with reference to criteria e.g. time deadlines such as exchange of contracts, service of trial bundle, reporting to client, compliance with default orders; organising the day or week according to identified priorities e.g. diaries and schedules planned work.
	1.3 Explain how to identify when meetings are necessary	1.3 Establishing: purpose and objective of meeting; cost proportionality and whether objective of meeting can be achieved by a different route e.g. telephone conference, e mail correspondence; meetings may be necessary with client e.g. to establish instructions and/or to obtain more facts, to explain key issues and progress timetable e.g. discussing settlement offers (family), reviewing progress of planning applications etc. (conveyancing). Meetings may also be necessary with other agencies e.g. in child protection cases.
	1.4 Clarify the purpose and value of planning own workload	1.4 Establishing clear direction e.g. daily plan of action; enabling matters to be progressed satisfactorily to conclusion; maintaining balanced workload to reduce stress; promoting efficiency; avoiding problems e.g. court sanction for non-compliance, client complaints and potential negligence claims.
	1.5 Clarify the purpose and value of managing own time and commitments	1.5 Promoting efficient and effective work practices, minimising errors.
	1.6 Compare different methods of time and diary management that are available to them	1.6 Using organisational records e.g. computer based time recording and case management; considering use of separate critical dates diary e.g. for court/tribunal timetable; making good use of computer resources for prioritising and highlighting work to be done e.g. daily notes,

		reminders or uses desk diary for work planning; using visible planners e.g. wall planner for daily/weekly reminders.
2 Understand how to manage own workload	2.1 Explain how to identify the resources available for own work	2.1 Reviewing work to be done and where it is to be done e.g. in or out of the office; establishing what resources are needed; preparing a resource plan e.g. computer with internet access, court forms, precedents; identifying what resources are available; ensuring adequately resourced for basic purposes e.g. pen and paper for meetings or court/tribunal attendance.
	2.2 Describe how to select resources that are needed for own work	2.2 Identifying whether range of different resources are needed and helpfulness e.g. space to prepare contracts, wills or prepare list of documents and extra help; selecting by reviewing most up-to-date resources e.g. law texts, court forms, precedents; ensuring resources are available, cost-effective and proportionate; ensuring practical resources are not overlooked e.g. stationery or appropriate travel arrangements if travelling to site meetings or meetings with other agencies or attending court hearings (family court) or employment tribunals.
	2.3 Clarify the purpose and value of working according to agreed timescales	2.3 Establishing timescales with client and other interested parties e.g. the seller/buyer (conveyancing), other agencies (child protection), opponent and the court/tribunal officers; ensuring common aim and direction e.g. to meet timetabled dates; recognising that others may be relying upon the timescale being met e.g. supervisor requiring research to be done to provide client report; avoiding sanctions for non-compliance e.g. delayed completion (conveyancing)

	2.4 Clarify the purpose and value of keeping records of own work	2.4 Complying with legal and organisational procedures; establishing a reference point e.g. attendance notes; ensuring work can be time-recorded and billed e.g. in line with client retainer; building a useful precedent system for future reference e.g. drafted statements of case; enabling cost disputes to be resolved according to accurate records; avoiding disputes about what was said/agreed with clients.
	2.5 Explain the purpose and value of keeping others updated with progress	2.5 Ensuring momentum and forward planning; allowing for input of other ideas; ensuring organisational and regulatory requirements are met e.g. that client is kept informed; promoting good communication and working relationships e.g. with client, supervisor, other agencies; allowing others to deal more easily with cases if absent from office.
	2.6 Clarify the purpose and value of flexibility and of adapting and re-prioritising work plans to reflect changes	2.6 Demonstrating organisation and efficiency e.g. to deal with urgent court application or attendance at meeting e.g. in child protection cases; building in sufficient time to allow for the unexpected e.g. client's mortgage offer withdrawn; assuring measured approach to work and avoids work being overlooked.
	2.7 Explain how to accommodate changes in own plans and renegotiate deadlines where necessary	2.7 Identifying promptly when plans have changed; considering work plan and identifying need for different time-scale e.g. parties in conveyancing transaction want an earlier completion date; considering the impact on others and whether co-operation is required from others to set new deadline; establishing realistic new timescale to accommodate work to be done; considering alternative resources to assist in achieving existing deadline.

	2.8 Clarify the purpose and value of reflecting on the outcomes of your plans and of identifying learning points for the future	2.8 Ensuring that learning takes place based upon experience; identifying what has gone according to plan and where plans need to be modified for future use; avoiding repeat of non-productive outcomes.
3 Be able to plan own work	3.1 Prioritise work according to its importance and urgency	3.1, 3.2 and 3.3 This LO is about implementing the processes and principles detailed in LO1.
	3.2 Plan work in line with objectives and deadlines	
	3.3 Prioritise own time in line with work plan	
4 Be able to manage own work	4.1 Make sure all the necessary resources are available	4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7 and 4.8 This LO is about implementing the processes and principles detailed in LO2.
	4.2 Allocate estimated time-frames to each activity	
	4.3 Keep records to monitor own work	
	4.4 Make records of own work available to others as required	
	4.5 Liaise with and update people who are contributing to the work	
	4.6 Resolve problems where necessary	
	4.7 Adapt and re-prioritise work plans to reflect changing circumstances	
	4.8 Review and reflect on the outcomes of your plans and identify learning points to improve future work planning activities	

Additional information about the unit	
Unit aim(s)	To enable learners to plan and manage their workload in a legal environment.
Unit review date	30 th September 2016
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	Skills for Justice
Location of the unit within the subject/sector classification	15.5 Law and Legal Services
Name of the organisation submitting the unit	Council for Administration
Availability for use	Shared
Availability for delivery	1 st April 2013

Section 2- Optional Group 1

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Title	Unit 7 Communicating with legal advice clients
Level	2
Credit value	3

Learning outcomes:	Assessment criteria:	Indicative content
The learner will	The learner can:	
1 Know the importance of establishing communication with new and existing legal advice clients	1.1 Describe why it is important to establish communication with legal advice clients	1.1 Providing a medium where client can discuss and explain needs either orally or in writing and you/the organisation can understand such needs and provide advice; understanding consequences of not communicating e.g. unhappy client, misunderstandings, possible disputes; meeting obligations under SRA Code of Conduct in relation to client care e.g. ensuring clients are in a position to make informed decisions about the services they need, how the matter will be handled and the options available to them; creating evidential trail of instructions and decisions.
	1.2 Identify the services that can be made available to legal advice clients	1.2 Matching service with client's needs and circumstances; understanding types of service available in different areas of law e.g. preparing for or attending court or a tribunal, involvement in settlement negotiations or perhaps mediation, dealing with a variety of property transactions, administering the estates of people who have died, advising on workplace issues and many other areas.

	1.3 Describe what constitutes a safe environment for legal advice clients and advisers	1.3 Understanding the importance of potential safety risks and acting according to the circumstances e.g., careful consideration of items such as the layout of the room, ease of access and egress, CCTV and/or recording facilities, panic buttons, the physical presence of other people etc
2 Be able to communicate with legal advice clients	2.1 Explain the importance of allocating appropriate time and attention to legal advice clients	2.1 Understanding that, in order to give full and accurate advice, full and accurate instructions must be taken and that, as a result, much care must be taken to allow sufficient time for any meeting or discussion to explore all avenues and to obtain all relevant facts before any legal advice is given. Being aware of consequences of not allocating sufficient time e.g. do not get the full story therefore advice may not meet client's needs.
	2.2 Describe how to create an environment that will help legal advice clients to express their needs	2.2 Appreciating that different people have different needs and requirements for communication such as interpreters, accessibility issues, induction loops etc. and acting accordingly to ensure clear, accurate and safe discussion and communication, both written and oral. Understanding how the environment contributes to the ability of clients to express themselves clearly and considering factors such as privacy, room layout, temperature, the presence of a friend or colleague.

	<p>2.3 Demonstrate how to use effective communication skills to encourage legal advice clients to express their needs</p>	<p>2.3 Fostering an atmosphere of openness, trust and confidence and building appropriate professional relationships wherever possible so that belief and trust are maximised; simply being a person of your word and doing exactly what you say you will do when you say you will do it; using techniques such as active listening and open and closed questions as necessary in discussions. Thinking about who will be present at any discussion and making sure that only the necessary and appropriate people will attend; ‘breaking the ice’ by general conversation before the main topics are raised in case the other party is nervous and using appropriate body language and non-verbal communication skills.</p>
<p>3 Know the importance of following client confidentiality procedures</p>	<p>3.1 Describe legal and organisational procedures for client confidentiality</p>	<p>3.1 Complying with mandatory principles and outcomes under SRA Code of Conduct applicable to confidentiality and disclosure, under Data Protection Act (DPA) relating to personal and sensitive information. Understanding the duty of confidentiality and how it affects conduct in the workplace e.g. ensuring no conflict of interest between clients; understanding different types of information in the workplace and why it might need protecting e.g. sensitive and personal information, privileged and confidential information in context of disclosure of documents in court proceedings. Being aware of internal policies and procedures of the organisation such as keeping all clients’ documents, papers and details separate; protecting information from unauthorised access and misuse.</p>
	<p>3.2 Describe why it is important to maintain client confidentiality</p>	<p>3.2 Meeting ethical, legal and organisational requirements relating to confidentiality e.g. mandatory principles and outcomes of SRA Code of Conduct; maintaining trust between clients and the organisation; maintaining the organisation’s reputation.</p>

	3.3 Identify the legal exceptions to maintaining client confidentiality	3.3 Being aware of different circumstances that allow exceptions to maintaining client confidentiality e.g. statutory obligations to provide information under money laundering and anti-terrorism legislation; informed consent of client; setting up 'Chinese walls' in conflicts of interest situations. Understanding rules of evidence and the legal status of documents in court proceedings e.g. privileged, irrelevant and confidential.
4 Know how to minimise communication difficulties with legal advice clients	4.1 Identify when communication difficulties with clients can occur	4.1 and 4.2 Recognising potential problem areas such as language or cultural differences e.g. does the client understand English? Are there any other additional needs e.g. a hearing impairment requiring provision of a hearing loop? Is the interview environment conducive to good communication with the client? Is the client showing signs of anxiety?
	4.2 Identify the kinds of barriers to good communication with clients that can occur	
	4.3 Describe ways of minimising barriers to good communication with clients	
5 Be able to take action in situations that require immediate action	5.1 Recognise when immediate action may be required by legal advice clients	5.1 Identifying extent of clients' needs in order to tailor services to meet these. Having applicable legal and procedural awareness of area to identify when immediate action may be required to protect clients' interests; establishing whether any legal or procedural deadlines are imminent and how these can be met. Understanding consequences for client of not taking immediate action e.g. making an application to an Employment or other Tribunal, registering certain formal documents, usually relating to property or if an injunction is required, in many family situations.
	5.2 Describe why it is important to take immediate action on behalf of legal advice clients	5.2 Meeting client care obligations under SRA Code of Conduct. Failing to protect clients' interests may make the organisation vulnerable to a claim for professional negligence or disciplinary proceedings.

	5.3 Identify the actions that can be taken when an immediate response is required	5.3 Distinguishing between action required to meet legal and procedure deadlines e.g. issuing proceedings to prevent action from being statute-barred in civil litigation, and action required to prevent something from happening or to make something happen e.g. an injunction in a child custody case and taking appropriate action.
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Additional information about the unit	
Unit aim(s)	This unit is about understanding the importance of establishing good communications with legal advice clients and taking appropriate steps to establish and maintain good communications with clients.
Unit review date	30 th September 2016
Details of the relationship between the unit and relevant national occupational standards (if appropriate)	SFJ IC9 Comply with legal, organisational and regulatory requirements in the provision of legal services
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Services
Location of the unit within the subject/sector classification system	15.5 Law and Legal Services
Name of the organisation submitting the unit	Skills for Justice
Availability for use	Shared
Availability for delivery	1st September 2013

Title:	Unit 8 Conclude legal matters
Level:	3
Credit value:	3

Learning outcomes	Assessment criteria	Indicative content
<i>The learner will:</i>	<i>The learner can:</i>	
1 Understand factors relevant to communicating the outcomes of legal matters	1.1 Explain the different outcomes of legal matters in relation to own area of practice	1.1 Explaining that outcomes either bring a legal matter to a successful end or do not e.g. settlement or court/tribunal order in client's favour in civil litigation, employment or family matters, completion of land purchase/sale in conveyancing, execution of will or distribution of estate in private client or court/ tribunal judgment against client with cost consequences in civil litigation, employment or family matters, collapse of sale/ purchase of land in conveyancing and specifically relating this to successful and unsuccessful outcomes in own area or practice.
	1.2 Identify the implications of different outcomes for legal matters for relevant parties	1.2 Recognising what the consequences are for the parties involved in the matter when the outcome is successful and when it is unsuccessful e.g. receipt of damages/compensation in civil litigation, transfer of ownership of land in conveyancing, reinstatement or compensation in employment, protection of child or adult in family or discontinuance/payment of judgment and costs in civil litigation, non recovery of costs/disbursements expended in conveyancing, appeals advice in civil litigation, employment or family.
	1.3 Identify the relevant parties that need to be informed about the outcomes of legal matters	1.3 Recognising that parties to proceedings need to be informed of outcome whereas non parties may not. Considering confidentiality of the information provided and

		who it is to be provided to. Identifying who should be informed and who not e.g. the other side's legal representatives in all matters, insurers in civil litigation, the court/tribunal in civil litigation, family and employment, mortgage lender/bank in conveyancing, HMRC in private client but not other family members in family and private client, residuary beneficiaries in estate administration.
	1.4 Describe methods of communicating outcomes of legal matters to relevant parties	1.4 Describing the various ways communication can occur to inform relevant parties of the outcome of their case e.g. letter, report, email, fax, phone call, but relating this to the requirements of the SRA Code of Conduct, organisational policy and Law Society guidance.
2 Understand the principles of closing legal matters	2.1 Describe how to close and archive legal matters in line with legal organisational, and regulatory requirements	2.1 Explaining how legal matters should be closed in accordance with client care, confidentiality, data protection and disclosure requirements of SRA Code of Conduct and in accordance with organisational policy within own organisation.
	2.2 Describe how to store information from legal matters that must be kept in line with legal, organisational and regulatory requirements	2.2 Explaining how own organisation stores information on legal matters (electronic or paper copy) that is required to be retained in order to comply with the law on data protection, limitation of actions and money laundering, the SRA Code of Conduct and own organisation's policies. Recognising key requirements in relation to retaining electronic data e.g. encryption, security, retrieval and the need to review retention of such information and the period of years of storage that may be required e.g. 5 years for identity evidence under money laundering law, limitation periods in civil litigation.
	2.3 Describe how to destroy information from legal matters that does not need to be kept	2.3 Explaining how own organisation destroys information on legal matters e.g. shredding, who authorises this and whether records of destruction are kept specifically recognising the need to comply with confidentiality.

	<p>2.4 Describe how to handle different types of document, including:</p> <ul style="list-style-type: none"> • original documents • certified copies of original documents 	<p>2.4 Explaining the difference between original and certified copies of documents and recognising the evidential weight these documents carry. Explaining when an original document and a certified copy document can be used e.g. original identity documents required under money laundering, original will required to prove probate but certified copies can be used to collect funds in private client, original contract or insurance policy in civil litigation, certified copy deeds in conveyancing.</p>
3 Be able to communicate the outcomes of legal matters	3.1 Identify the outcomes of legal matters that affect relevant parties	3.1 This IC is about implementing the actions and considerations in IC 1.1.
	3.2 Assess the impact of outcomes for relevant parties to inform how these should be communicated	3.2 This IC is about implementing the actions and considerations in IC 1.2 and 1.3.
	3.3 Communicate outcomes along with their implications in line with legal, organisational and regulatory requirements	3.3 This IC is about implementing the actions and considerations in IC 1.4.
4 Be able to complete the required actions to close legal matters	4.1 Identify any further actions needed in order to conclude legal matters by reviewing work carried out	4.1 Explaining in outline what checks would be carried out before closing a file e.g. has all correspondence been written, has bill been paid, have undertakings been satisfied, has all work been completed?
	4.2 Close and archive files for legal matters in accordance with legal, organisational and regulatory requirements	4.2 This IC is about implementing the actions and considerations in IC 2.1 - 2.3 and 4.1.

Additional information about the unit	
Unit aim(s)	This unit is about understanding the principles and processes of closing legal matters and implementing the processes, following legal, organisational and regulatory requirements.
Unit review date	31 st August 2015
Details of the relationship between the unit and relevant national occupational standards (if appropriate)	N/A
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Services
Location of the unit within the subject/sector classification system	15.5 Law and Legal Services
Name of the organisation submitting the unit	CILEx
Availability for use	Shared
Availability for delivery	1st September 2013

Title	Unit 9 Conduct research to progress legal matters
Level	3
Credit value	5

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Understand the processes of legal research	1.1 Describe the principles of legal research	1.1 Knowing what legal resources are available and how to use them. Ensuring resources used are current and accurate. Having the ability to analyse both factual situations and the law; identify the objectives of any research queries and/or projects; apply the law to factual and legal situations; express the results in an appropriate way. Understanding the need to conduct timely and accurate research.
	1.2 Describe the roles and responsibilities within own organisation in relation to using research to progress legal matters	1.2 Being aware of roles and responsibilities of librarians, knowledge information analysts, professional support lawyers and others in own organisation. Making use of these resources if available and allowed e.g. apprentices or junior lawyers may be expected to undertake own research as part of training. Understanding how research can progress legal matters e.g. assist with tactics procedurally such as when and whether to issue proceedings, whether to go ahead with certain action or not e.g. by applying

		relevant legislation and case law to factual scenario to establish whether a proposed application to obtain a care order will succeed.
	1.3 Identify the different resources available for researching legal information	1.3 Distinguishing between: primary sources of law or authority such as statutes, regulations, court orders, court decisions, and secondary sources such as reference books, journals, commentaries; paper and electronic resources e.g. hardcopy library of law reports or legal websites with search engines; own organisation's knowledge management systems or external legal databases such as LexisLibrary or Westlaw. Utilising the collective knowledge and experience of the department/organisation e.g. discussing with colleagues who have dealt with similar issues in their cases, comparing the client's case to another similar case file.
	1.4 Describe how to access the different resources for legal information	1.4 Understanding what (if anything) is available in hardcopy and whether it is up to date, in own organisation and best way of researching this resource e.g. indexing system of Halsbury's Laws assists with locating where relevant information is contained i.e. which volume and chapter. Understanding how to access and search external legal databases such as LexisLibrary or Westlaw e.g. need password and then legislation title, case names or keywords. Using secondary materials such as commentary or reference books to help explain, analyse, and critique relevant law. Utilising in-house knowledge, either by way of in-house database e.g. use correct key word or author; or discuss with professional support lawyer or colleagues.

	<p>1.5 Explain how to find legal information including:</p> <ul style="list-style-type: none"> • statutes • statutory instruments • case law 	<p>1.5 Implementing the actions in 1.3 and 1.4. and then: typing in name of statute or statutory instrument into electronic resources and viewing results. Ensuring results are current by tracing updates and amendments to legislation. Knowing that certain electronic databases provide legislation in amended form with annotations (LexisLibrary and Westlaw). Typing in name of case into electronic resources. Checking status of case e.g. whether there has been a later appeal.</p>
	<p>1.6 Explain how to apply the findings of legal research to determine the information needed to progress a legal matter</p>	<p>1.6 Applying results of research to original question. Identifying what if any further information is needed either (a) from client to progress matter, or (b) from further research to be able to give the client clear and accurate advice e.g. what wording should be used in a will to achieve the testator's intentions.</p>
	<p>1.7 Describe how to identify results for legal matters with clients and relevant parties</p>	<p>1.7 Identifying results in a way which explains options and solutions to the client or relevant parties, analyses advantages and disadvantages of each. Ensuring information accurate, complete and responds to query. Using headings, where appropriate, explaining relevance of cases, legislation, setting out connections and highlighting points of distinction.</p>
	<p>1.8 Describe the methods for presenting recommendations to clients</p>	<p>1.8 Understanding own organisation's preferred styles of presentation, both internally and externally so that able to express any results and conclusions in an appropriate manner e.g. in writing or orally, by memo or report.</p>

2 Be able to conduct legal research under supervision	2.1 Agree with supervisor the scope of the legal research required	2.1 Demonstrating an understanding of the question asked and the objectives of the research.
	2.2 Locate information required to progress legal matters, including: <ul style="list-style-type: none"> • statutes • statutory instruments • case law 	2.2 This AC is about implementing the actions and considerations in ICs 1.3 - 1.5.
	2.3 Apply the findings of legal research to determine the information needed to progress a legal matter	2.3 This AC is about implementing the actions and considerations in IC 1.6.
	2.4 Identify possible results for the client	2.4 This AC is about implementing the actions and considerations in IC 1.7 but taking into consideration that research note is to go to supervisor not direct to client.
	2.5 Explain the results to a supervisor and agree recommendations	2.5 This AC is about implementing the actions and considerations in IC 1.7 and 1.8 with supervisor rather than client.
	2.6 Record research results in accordance with organisational and regulatory requirements	2.6 Opening hardcopy and/or electronic file in line with organisational procedure. Recording information following house style i.e. memo, report. Storing information either in hardcopy or electronic form as required and easily identifiable e.g. saved under client matter or general research matter. Retaining documents in line with organisation's file retention policy.

Additional information about the unit	
Unit aim(s)	This unit is about understanding the processes and principles of legal research and conducting legal research to progress cases.
Unit review date	31 st August 2015
Details of the relationship between the unit and relevant national occupational standards (if appropriate)	N/A
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Services
Location of the unit within the subject/sector classification system	15.5 Law and Legal Services
Name of the organisation submitting the unit	CILEx
Availability for use	Shared
Availability for delivery	1st September 2013



Title	Unit 10 Process clients' instructions and plan legal work
Level	3
Credit value	4

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Understand how to take client's instructions for legal work	1.1 Describe how client's instructions are analysed in order to identify the work required to progress legal matters	1.1 Appreciating that, when new instructions are received, it is essential first to obtain sufficient detail to be able to establish the precise area of law involved and the legal complexity of the case, so that legal advice can be given by an appropriately experienced person and that, once that has been done, preparing a plan of the likely work involved over whatever period to progress the matter; knowing that the client's needs and objectives have to be established at the outset as, until that is completed, it will not be possible to analyse and plan what legal work needs to be done and how urgently e.g. limitation periods or other time limits may apply; realising as well that, without very full and detailed instructions, suitably recorded in written notes, the exact nature of the client's legal position may not be correctly established and inappropriate or incorrect advice may be given, leading to future difficulties.
	1.2 Identify the roles and responsibilities of self and others in relation to taking a client's instructions	1.2 Taking into account the nature of the client i.e. whether it is a substantial company client e.g. a major employer, a large property developer and, a local authority, housing association or an insurer or

		<p>an individual client needing a will, a house sale and purchase, advice on how to claim money owed or urgent child protection advice and assistance, deciding or discussing with the supervisor who should attend the client to take instructions; typically, this would be the supervisor in all but routine cases but the junior lawyer would usually attend as well in order to take detailed and accurate notes; knowing that it would be the function of the supervisor to give any legal advice, even though the more junior lawyer may contribute as appropriate; appreciating that the ability to take such notes and to transpose them into a full attendance note after the meeting is a skill which has to be learned and practised. For certain clients the more junior lawyer may act in a minor research capacity, finding forms or documents, paper based or online, that may be required by the supervisor. Appreciating the need for time recording the attendance if required for costs calculation.</p>
	<p>1.3 Explain why it is important to refer to others when work is outside the limits of own authority and/or capability</p>	<p>1.3 Appreciating that it is a principle of the SRA Code of Conduct that a solicitor must always act in the best interests of the client and that the service provided must be legally competent, so that, as a result, if work is carried out by someone without the appropriate skill, knowledge and expertise, it will not only be negligent but also a serious breach of the Code; knowing that in every case, an assessment must be made both as to whether one has actual authority from the organisation to take instructions and carry out any particular type of work legal work and whether one actually has the necessary competence to deal with it, both situations giving rise either to employment and/or professional sanctions; understanding that it is a golden rule in every organisation that, in order to prevent such difficulties, specific work or cases are immediately referred to</p>

		another and appropriately experienced person if it is outside any individual's authority or expertise.
	1.4 Explain how to plan and record the legal work required by the client	1.4 Routinely taking manuscript notes of all client meetings, interviews and discussions and preparing a proper attendance note so that a full and accurate record of all such matters is held on the client file; once instructions have been taken, planning the work likely to be involved and the timescale, as in section 1.1 above, in conjunction with the supervisor, making and recording all important dates and/or time limits in own and in a central diary, depending on the practice of the organisation; making sure that the work plan and advice is not only recorded as necessary but also that it is submitted to and agreed by the client, preferably in writing, before being implemented.
	1.5 Explain the method(s) of charging in relation to own area of practice in accordance with legal, organisational and regulatory requirements	1.5 Having a full understanding of the different charging methods for legal work in own area of practice in the knowledge that acting otherwise would be a breach of the SRA Code of Conduct; knowing that the most appropriate charging method would depend entirely on the nature of the client and the nature and type of the work but would include hourly rates, a fixed or capped fee, public funding where appropriate, conditional fee agreement (CFA), damages-based fee agreement, insurance – existing or after the event. Being aware of all the available funding methods and being able to advise on the most appropriate in individual cases relating to own area of practice.
	1.6 Summarise the contents of a client care letter in own area of practice	1.6 Recognising that, in every appropriate case, a client care letter must be prepared and sent to the client providing detailed information about a variety of topics, realising that this information will vary considerably depending on the nature of the work involved i.e. such a letter in a property transaction

		<p>would be different from one in a litigation case and will contain information and details of various factors and items including, amongst others, the scope of the retainer, the work to be carried out, the likely timescale involved, identity checks and the need to deal with money laundering regulations, fee arrangements and payment intervals, the right to complain to the organisation and/or to the Legal Ombudsman, either about conduct or service levels or about the amount of the charges, together with the complaints handling procedure, how the organisation is professionally regulated and the name and status of both the person who will have daily conduct of the matter and the person responsible for overall supervision.</p>
<p>2 Be able to process instructions and produce a draft client care letter</p>	<p>2.1 Receive information on client instructions in order to determine the work required to progress the legal matter within own area of responsibility</p>	<p>2.1 See 1.1 above but also ascertaining the nature of the work and the area of law e.g. family, private client, conveyancing, employment, litigation, debt etc. to which it relates in order to determine whether the individual has appropriate authority and expertise or whether another person needs to become involved; being able to explain confidently to the client whether and, if so, why another person may become involved; being able to take full and detailed instructions in order to pass them to the person with the appropriate expertise so that they have a detailed picture of the case, to enable accurate advice to be given; understanding the level of detail of the matter required for instructions so ensure that sufficient facts and information are obtained for accurate advice to be provided.</p>
	<p>2.2 Clarify own understanding of client's instructions with the appropriate person</p>	<p>2.2 Ensuring that all instructions provided by the client are understood in order to provide accurate and correct advice and to avoid misunderstanding and future difficulty; making sure that every area covered by the instructions is clarified either by obtaining the client's approval to the attendance note</p>

		<p>prepared or, by orally summarising the instructions given at regular intervals during the interview or discussion so that any possible misunderstanding or inaccuracy will be revealed before moving on; once completed, understanding that the formal instructions should be discussed and approved by the supervisor so that someone with more experience is able to confirm the nature of the advice to be given to the client based on the content of the instructions and to establish whether more information or instruction needs to be provided before advice is given and the plan of the necessary work is prepared.</p>
	<p>2.3 Apply the method of charging which is appropriate to the work undertaken</p>	<p>2.3 See 1.5 above but, in addition, being able to assess the most suitable method of charging for the client and for that specific case e.g. a fixed fee in a property transaction and having the knowledge to apply that method to the individual circumstances after discussion with, and agreement by the supervisor; also being familiar with the risk aspects for the organisation which would impact on the method of charging involved and how to manage them e.g. calculation of success fee in a CFA or the amount of any fixed or capped fee and appreciating that fees or methods of charging should not be agreed with a client without prior approval by the supervisor or other appropriate person within the organisation.</p>
	<p>2.4 Raise any issues and risks relating to the work with the appropriate person</p>	<p>2.4 Understanding the critical importance of this area, being familiar with all the internal policies and necessary due diligence relating to potential risk factors, especially under The Proceeds of Crime Act 2002 and the Money Laundering Regulations 2007 and knowing the appropriate persons within the</p>

		<p>organisation to contact in the event of uncertainty; understanding the need to assess certain types of work or certain clients as standard or higher risk; for example, is the client personally known within the organisation, are the instructions actually being received from the client or a third party e.g. family member for elderly client making a will; accountant in private client, surveyor or estate agent in conveyancing, are there any unexplained foreign links, are complex structures in place without apparent commercial rationale, etc.; in particular being able to identify potential problem areas and seeking urgent assistance as appropriate.</p>
	<p>2.5 Prepare a draft client care letter detailing the:</p> <ul style="list-style-type: none"> • planned work • estimated costs of the work • complaints procedures 	<p>2.5 See 1.6 above but, in addition, using the organisation's standard precedent where appropriate for such a client care letter which incorporates all the necessary and required elements.</p>
	<p>2.6 Provide the draft client care letter to the appropriate person for review and approval in accordance with organisational requirements</p>	<p>2.6 See 1.6, 2.4 and 2.5 above and, in addition, knowing how to use and adapt the precedent as necessary in accordance with internal policies to suit the type of client and work involved.</p>

Additional information about the unit	
Unit aim(s)	This unit is about understanding how to take instructions from a client and how to process the client's instructions to produce a draft client care letter in own area of practice. It also includes being able to apply the appropriate method of charging for the work being undertaken.
Unit review date	31 st August 2015
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Services
Location of the unit within the subject/sector classification	15.5 Law and Legal Services
Name of the organisation submitting the unit	Chartered Institute of Legal Executives (CILEx)
Availability for use	Shared
Availability for delivery	1 st September 2013

Title:	Unit 11 Provide documents for legal matters
Level:	3
Credit value:	3

Learning outcomes	Assessment criteria	Indicative content
<i>The learner will:</i>	<i>The learner can:</i>	
1 Understand how to provide documents for legal matters	1.1 Describe the legal, organisational and regulatory requirements for the preparation of documents for legal matters	1.1 Recognising how confidentiality, data protection, the SRA Code of Conduct, the organisation's policy on style and the specific regulatory requirements in own area of practice impact on the preparation of legal documents e.g. CPR rules and Protocols, valid wills and deeds of trust, land registration requirements, HMRC taxation requirements, employment tribunal Rules and Directions.
	1.2 Describe the legal, organisational and regulatory requirements for making documents available for legal matters	1.2 Understanding confidentiality and privilege, data protection, freedom of information requests, SRA Code of Conduct, own organisation's policy on disclosure and the specific regulatory requirements in own area of practice: e.g. CPR Protocols, probate registry requirements, land registration requirements, HMRC taxation requirements, employment tribunal Rules and Directions. Distinguishing between making documents available to progress matters e.g. preparing forms and sending to land registry to register ownership of property, and making documents available in response to requests or following completion e.g. data protection act request for information, request from third party for court documents.

	<p>1.3 Identify the methods for recording information about the provision of documents for legal matters</p>	<p>1.3 Identifying the variety of ways in which an organisation can record the whereabouts of legal documents at any point in time (electronic and hard copy) e.g. correspondence indicating where document has been sent, storage and destruction records, record of deeds/ wills/ trust deeds/ powers of attorney in safe, computerised databases.</p>
	<p>1.4 Identify the methods for addressing problems in the provision of documents for legal matters</p>	<p>1.4 Identifying the problems that can arise with the ability to provide legal documents (e.g. breach of confidentiality/security as a result of computer screen being seen by unauthorised person, computer malware and viruses destroying documentation, lost or mislaid documents, lack of client's consent to disclose information) and how these problems can be remedied e.g. up to date training by the organisation, ensuring screen savers in place when computer left unattended, up to date computer security system, overall responsibility for database lies with one person or a small team of people, organised filing systems, document tracking.</p>
<p>2 Understand the factors affecting the provision of documents for legal matters</p>	<p>2.1 Explain the roles and responsibilities of those involved in providing information for documents for legal matters</p>	<p>2.1 Explaining the role and responsibility of the lawyer in providing information for the preparation and distribution of legal documentation e.g. ascertaining clear instructions, only taking instructions from the client not a third party, unless authorised by the client, researching the law/ procedure, use of template/ precedent, ensuring compliance with legal or regulatory requirements). Explaining the role and responsibility of the client in providing information for the preparation and distribution of legal documentation e.g. honest/correct instructions, correct personal details, supporting documentation/ evidence, updating legal advisor on changes to instructions.</p>

		Understanding the role and responsibility of any third party in providing information for the preparation and distribution of legal documentation.
	2.2 Explain the different types of documents required for legal matters within own area of responsibility	2.2 Explaining the differing types of legal documents required in student's own area of practice e.g. standard form letters, attendance notes, memos, minutes, emails, faxes, contracts, deeds in all practice areas; court documents, particulars of claim, defences in civil litigation; wills, trust deeds, powers of attorney, probate documentation in private client, land registration forms, leases in conveyancing; family procedure rules forms, divorce petitions in family; employment tribunal forms, staff handbooks and manuals, disciplinary and grievance letters in employment.
	2.3 Explain the importance of ensuring that documents are distributed appropriately	2.3 Explaining why documentation should be sent/distributed to the appropriate people, whether this will include third parties and, if so, when, and what can result if documentation is not distributed appropriately e.g. delay and failure to meet time limits, incorrect information and notification, voidable court orders or agreements, risk of the client being unsuccessful in action, monetary loss to the client, potential disciplinary action and/or professional negligence claim.
3 Be able to provide documents for legal matters	3.1 Obtain all information required for legal matters in accordance with legal, organisational and regulatory requirements	3.1 This IC is about implementing the actions and considerations in IC 1.1 and 1.2.
	3.2 Action any requests for information in line with organisational requirements	3.2 This IC is about implementing the actions and considerations in IC 1.1, 1.2 and 2.1.
	3.3 Collate documents for legal matters, checking that they are completed accurately	3.3 This IC is about implementing the actions and considerations in IC1.1 and 2.2.

	3.4 Refer any difficulties in collating documents to relevant parties in line with organisational requirements	3.4 This IC is about implementing the actions and considerations in IC 1.4 in relation to own work within own organisation.
	3.5 Provide documents to relevant parties within appropriate timescales	3.5 This IC is about implementing the actions and considerations in IC 2.3.
	3.6 Record all documents in accordance with legal, organisational and regulatory requirements	3.6 This IC is about implementing the actions and considerations in IC 1.1 -1.4.

Additional information about the unit	
Unit aim(s)	This unit is about understanding the factors that affect the provision of documents for legal matters, and being able to provide legal documents in accordance with legal, organisational and regulatory requirements.
Unit review date	31 st August 2015
Details of the relationship between the unit and relevant national occupational standards (if appropriate)	SFJ IC9 Comply with legal, organisational and regulatory requirements in the provision of legal services
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Services
Location of the unit within the subject/sector classification system	15.5 Law and Legal Services
Name of the organisation submitting the unit	CILEx
Availability for use	Shared

Availability for delivery	1st September 2013
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Title	Unit 8 Acting on behalf of clients in informal proceedings
Level	4
Credit value	5

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Understand the processes and procedures involved in representing clients in informal proceedings	1.1 Analyse the reasons why it is important to discuss service provision with the client	1.1 Managing client expectations by agreeing the type and frequency of communications; the responsibilities of both organisation and client. Meeting principles and outcomes relating to client care in the SRA Code of Conduct.
	1.2 Evaluate the range of situations where immediate action may be required	1.2 Establishing whether any legal or procedural deadlines are imminent and how these can be met e.g. preventing documents or other materials being destroyed e.g. applying for search order. Considering the need to apply for an immediate care order if there is a suspected child protection issue

	<p>1.3 Explain the organisational procedures relating to representing clients in informal proceedings</p>	<p>1.3 Identifying the extent of client's needs in order to tailor services to meet these. Ensuring you/the organisation is authorised to provide advice on Alternative Dispute Resolution (ADR) and any other type of legal advice relating to client's problem; having necessary resources, skills and procedures to provide legal advice. Establishing limits of own expertise and authority and confirming with client e.g. if consider client may be a protected party either because minor or lack of capacity, arrange for appointment of litigation friend or family court adviser, understanding who can be a litigation friend/family court adviser and the procedure involved.</p>
	<p>1.4 Analyse the legislation, organisational and ethical requirements that impact on representing clients in informal proceedings</p>	<p>1.4 Professional obligations under the SRA's Code of Conduct relating to client care. Level of charges including disbursements, VAT and retainer. Determining whether there are any potential conflicts of interest, or confidentiality, disclosure, health and safety or security issues. Knowing the law relating to breaching client confidentiality e.g. where there are child protection issues The importance of money laundering checks. The application of principles of equality and diversity. Additional requirements relating to clients who are protected parties e.g. appointment of Litigation Friend or family court adviser, court consent to settlement offers, dealing with settlement monies e.g. placing on trust for a child until they reach 18 years of age. Advising litigation friend of his/her right to recover reasonable expenses.</p>
	<p>1.5 Explain why it is important to agree with the client, case timescales and procedures for closing the case</p>	<p>1.5 Understanding deadlines to meet, action to be carried out. Introducing accountability if case not progressing as expected, explaining reasons for non-progression to client. Meeting data protection obligations in relation to information held about client, agreeing with client documents to be returned and extent</p>

		of documents retained under document retention policy. Costs relating to storage, retrieval or making additional copies.
	1.6. Analyse organisational procedures for recording and storing case and client details	1.6 Opening hard copy and/or electronic file in line with organisational procedure. Recording information following house style i.e. attendance notes; standard form letters; client's instructions. Storing information either in hard copy or electronic form as required. Following organisation guidelines as to data protection and security checks on client details. Retaining documents in line with organisation's file retention policy.
2 Be able to research information to meet the client's needs	2.1 Evaluate the sources of information available relevant to the client's case	2.1 Reviewing all information provided by client or Litigation Friend/family court adviser e.g. verbally at interview; contractual documents; correspondence relating to problem. Interpreting the impact of any legislation or case law; legal terms and obligations under contracts; procedural rules and regulations; statutory or common law obligations. Considering additional sources of information e.g. third parties for medical records; opponent; site visit; photographs; plans. Understanding the forms of ADR available e.g. mediation; conciliation; expert determination; the impact on protected party of use of ADR e.g. settlement requires court approval so finality on the day unlikely.
	2.2 Analyse with the client, their needs and expectations	2.2 Summarising own understanding of the nature of the problem and what client wants to achieve e.g. is there a case, what is client looking for – compensation; an apology; confirmation of the meaning of a contractual term? Confirming with the client/Litigation Friend/family

		<p>court adviser that own understanding matches theirs. Identifying where there are differences between client's expectations and possible solutions. Managing expectations by providing cost benefit analysis of options. Deciding whether best to carry out this task orally or in writing. Maintaining accurate attendance and file notes.</p>
	2.3 Evaluate the kind of actions available to the client	<p>2.3 Identifying range of actions available e.g. negotiation; informal mediation; formal mediation; arbitration. Understanding the consequences of: unreasonably refusing to engage in ADR e.g. court can apply cost sanctions; entering ADR but failing to reach agreement e.g. can issue proceedings so this process may not save costs; not accepting or making settlement offers e.g. automatic cost consequences of rejecting settlement offers made under CPR 36 e.g. understanding that Part 36 is effective pre-litigation. Being aware of impact of protected party on actions e.g. settlement not immediate as must obtain court approval.</p>
	2.4. Analyse the information relevant to the client's case	<p>2.4 Factors affecting suitability for ADR include nature and value of case e.g. ADR not suitable to resolve points of law; good for low value cases as disproportionate to litigate; does client want "victory" as ADR requires compromise; does client want privacy and speed as advantages of ADR e.g. status of ADR without prejudice. Understanding meaning of without prejudice and scope of impact.</p>
	2.5 Evaluate the information obtained against the client's needs	<p>2.5 Implementing the actions and considerations in AC 2.1, 2.3 and 2.4 and applying them to AC 2.2.</p>
	2.6 Formulate options of actions that could be taken to meet the client's needs	<p>2.6 Setting out strategies that meet client's needs. Providing cost benefit analysis of each option as well as</p>

		risk benefit analysis. Ensure client or Litigation Friend/family court adviser fully understands strategies, risks and cost consequences.
3 Be able to make representations on behalf of clients in informal proceedings	3.1 Work with the client to promote their understanding of the case processes and possible outcomes	3.1 Explaining advantages and disadvantages of ADR e.g. with most ADR (except arbitration) formal rules of evidence not applied on same scale as litigation or at all so limited disclosure, witness statements, expert reports, no cross examination; unsuitable if wish to set precedent or clarify important legal principle e.g. scope of solicitor's duty to the beneficiary of a will; procedures and timescales involved e.g. choosing and instructing mediator; consequences of successful or unsuccessful ADR e.g. if settlement agreed case finished unless protected party where need court approval to settlement, if lose can still issue proceedings. Understanding costs of options including ADR, who is responsible for meeting these and when.
	3.2 Follow all required processes and procedures relating to presenting cases in informal proceedings	3.2 Ensuring that CPR rules are followed. Differentiating between written and oral presentation e.g. in Early Neutral Evaluation appointed evaluator decides issue on basis of written submissions; in mediation or conciliation make opening statements in group room then remain in own rooms whilst mediator/conciliator moves between parties attempting to reach agreement.
	3.3. Make positive representations on behalf of the client	3.3 Highlighting strengths of client's case in opening statement/submissions, note what client hopes to achieve as this can form starting point for discussion. Ensuring authority to settle unless client protected party where court has to agree any settlement.
	3.4 Analyse issues raised by others during the representation process	3.4 Understanding the impact of issues raised during process e.g. evidential rules not as restrictive as litigation

		so question is whether client informed enough to respond if a new issue raised, is more information needed, can this be provided, how does this affect position?
	3.5 Present constructive suggestions to overcome the issues	3.5 Keeping in mind ADR is a process to reach compromise so attempting to satisfy client's needs and reach settlement. Understanding reserve position below which client cannot go. Highlighting weaknesses in other side's case and benefits of reaching settlement.
	3.6 Work with clients to analyse the outcomes of the representation	3.6 Assessing advantages and disadvantages of each option. Ensuring client is fully aware of risks and costs attached to each option e.g. one "solicitor's letter" may have desired effect at minimal cost compared to cost of ADR. Confirming that the client has understood options; explaining options further either by way of meetings or correspondence if necessary. Being aware of potential consequences if client makes a decision without understanding all options i.e. complaint against individual/organisation.
	3.7 Evaluate the next steps in the process with the client	3.7 Creating action plan to assist with preparation for ADR e.g. draft instructions to mediator, conciliator, expert; review and agree ADR agreement; agree dates to attend ADR; prepare position statement for mediation, case summary for conciliation; consider what documents to include; create draft settlement agreement to use at ADR. Obtaining client's instructions. Making sure client can attend unless protected party then invite Litigation Friend; neither has to attend.
	3.8 Follow all relevant legislation, codes of practice, procedural rules and ethical requirements for representation in informal proceedings	3.8 This AC is about implementing the actions and considerations in AC 1.4.

	3.9 Use organisational procedures to record and store case and client details	3.9 This AC is about implementing the actions and considerations in AC 1.6.
4 Be able to review cases in informal proceedings	4.1 Work with clients to analyse the outcomes of the case	4.1 Understanding reasons for failure of ADR. Reviewing outcomes of ADR; has anything been admitted that reduces issues in dispute; has anything been learnt about other side's attitude that will assist in next steps e.g. will to compromise just not right figure? Is there anything that client prepared to compromise? Understanding next steps if successful ADR e.g. settled case.
	4.2 Analyse the possible consequences of the outcomes with the client	4.2 Understanding the implications of resolving case or not resolving case e.g. if case not settled and claim close to a limitation period then need to issue proceedings quickly or potentially statute barred; if settled need to meet terms of settlement relevant to client such as payment of certain amount within certain period. If settled and client protected party, need to apply to court for agreement of settlement, advising Litigation Friend of procedure and time frame.
	4.3 Analyse the pros and cons of continuing with the representation	4.3 Being aware of client's needs and whether proposed next stages meet these e.g. justification for issuing proceedings taking into account risk on costs. Reviewing options fully, explaining advantages and disadvantages of each to client, including a cost benefit analysis.
	4.4 Work with clients to agree next steps	4.4 Understanding the importance of not proceeding without instructions from client; client making decision as to how to proceed based on best information as per principles and outcomes relating to client care in SRA Code of Conduct.

	4.5 Use organisational procedures to record and store case and client details	4.5 This AC is about implementing the actions and considerations in AC 1.6.
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Additional information about the unit	
Unit aim(s)	To enable learners to understand processes and procedures involved in representing clients in informal proceedings, to research relevant information and to make representations on behalf of clients.
Unit review date	30 th September 2016
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	Skills for Justice
Location of the unit within the subject/sector classification	15.5 Law and Legal Services
Name of the organisation submitting the unit	Skills for Justice
Availability for use	Shared
Availability for delivery	1 st April 2013

Title	Unit 11 Manage financial considerations in relation to legal matters
Level	4
Credit value	5

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Understand the factors that influence the financial considerations in relation to legal matters	1.1 Explain the legal, organisational and regulatory requirements for managing financial considerations in relation to legal matters including: <ul style="list-style-type: none"> • monitoring • reporting • recording • communicating 	1.1 The requirements for managing financial considerations and their significance: that all financial matters must be properly recorded and monitored against the costs estimates provided; that any variances must be reported within the organisational framework and any variance communicated to the client; the role of the Head of Finance and Administration (HOFA) and Compliance Officer for Finance and Administration (COFA); anti-money laundering protocols; the fundamental principles of Solicitors' Accounts Rules e.g. the operation of office and client account and that financial management must strictly accord with the professional Codes of Conduct understanding that the information recorded has several

		<p>purposes e.g. management of individual client matters but also preparation of internal financial reports and ensuring that, by accurate costs recording, client account reconciliation can be effected e.g. in compliance with SRA Accounts Rules.</p>
	<p>1.2 Describe the types of documentation used for requesting payments for professional work</p>	<p>1.2 Understanding the billing process e.g. between the organisation and the client and the matters to be included within the bill; appreciating the need for accurate billing information to be provided; appreciating other types of documentation which might be received for professional work done on behalf of the organisation e.g. counsel's fees, surveyor's fees, accountants' fees. Understanding the difference between interim bills and final bills as the status of a bill determines whether a solicitor can sue upon it and/or whether a client has a right to detailed assessment e.g. a solicitor cannot sue on an interim bill on account nor is a client entitled to an assessment of it.</p>
	<p>1.3 Explain the options available to relevant parties in relation to paying for legal work</p>	<p>1.3. Establishing, with reference to organisational guidelines, the options which may be available e.g. Union backing; Conditional Fee Agreements (CFA); damages-based agreements (DBA); insurance; private retainer. Ascertaining from client scope of work to be undertaken; considering range of funding specifically available to them and taking into account their best interests; considering and explaining to client suitability of funding options available and their effect e.g. DBA or CFA or retainer; explaining possibility of opponent's costs having</p>

		to be met and funding options for that e.g. ATE insurance; making appropriate arrangements in line with legal and regulatory requirements e.g. SRA Code of Conduct.
	1.4 Explain what constitutes billable time for professional work	1.4 The concept of billable time and the organisational guidelines to recognise and record billable time separate from non-chargeable time e.g. time which will be charged to the client for professional work done in the progress of their matter; the purpose of recording billable time and the need for accuracy e.g. ensuring that the client is only billed for work done that is reasonable and necessary, within the agreed parameters and the charging rate set out in the client care letter.
2 Understand the processes for managing financial considerations in relation to legal matters	2.1 Evaluate the methods for monitoring costs for legal work	2.1 Personal and organisational methods for monitoring costs; analysing costs information provided on a regular basis e.g. monthly; considering time accrued and evaluating reasonableness; identifying any variances from agreed framework and any errors; analysis of records from computerised case management systems. Ensuring billable time spent on matter recorded promptly to keep records up-to-date.
	2.2 Explain the roles and responsibilities within own organisation in relation to reporting variances in costs for legal work	2.2 The key roles and responsibilities e.g. accepting personal responsibility for correct inputting of time and for checking costs printouts; the role of principals having organisation-wide financial management responsibilities e.g. managing partner ensuring compliance with Accounts Rules; understanding wider responsibilities to ensure variances are identified and relevant persons informed e.g. line manager and accounts department so that errors can be

		rectified; understanding that variances which impact upon the client must be advised promptly e.g. adverse costs orders.
	2.3 Explain how to manage the documentation in relation to third party payments for professional work	2.3 The professional duty which arises when third parties are instructed to undertake professional work e.g. counsel or expert and the obligation to discharge payments promptly e.g. counsel's fees, experts' fees; evidencing clear organisation of documentation e.g. fee notes, invoices; noting and recording payment requirements e.g. within 28 days; completing necessary request for payment promptly and ensuring payment is sent; ensuring that payment is acknowledged and receipted to maintain accuracy of records and avoid missed/overlooked payments; sending reminders for late invoices to ensure payments are made whilst file is current e.g. avoiding requests for payment when file has been closed.
	2.4 Explain how to maintain records of billable time so that they are: <ul style="list-style-type: none"> • accurate • up to date 	2.4 Ensuring that records are completed as the work is done and that recorded time tallies with evidence of work done on file e.g. correct units of time recorded in line with organisational requirements and evidenced by attendance note showing identical units of time spent; avoiding discrepancies arising due to mis-matched information from different sources e.g. paper file and recorded time records; ensuring accurate completion of time record each day so that records are up-to-date; avoiding relying on memory as to work done.

<p>3 Be able to monitor finances to communicate variances in relation to legal matters</p>	<p>3.1 Compare actual spend against cost specification for legal work to identify variances in line with organisational requirements</p>	<p>3.1 Ensuring client is advised at the outset of the likely costs involved and monitoring of costs regularly to identify variances; anticipating when and how actual spend might exceed costs specification e.g. if expert evidence becomes necessary; negotiations over commercial leases becomes protracted (conveyancing) or there are custody disputes (family), obtaining client's instructions as to proceeding by agreeing amended costs figure e.g. ensuring always acting with client's instructions and agreement.</p>
	<p>3.2 Report any variances in costs to relevant parties, within the required timescales</p>	<p>3.2 Reporting variances when noted and evidencing system for checking variances. This AC involves implementation of ACs 2.1 and 2.2</p>
	<p>3.3 Communicate with clients to highlight any variances in actual spend against cost estimates for the professional work</p>	<p>3.3 Ensuring client is kept informed and is in agreement to proceed e.g. avoiding issues as to conduct, breach of contract and regulatory requirements; explaining reasons for variance, where possible. This AC involves implementation of ACs 2.1, 2.2 and 3.2.</p>
<p>4. Be able to arrange for payment and collection of finances</p>	<p>4.1 Issue accurate documentation to request payments due from clients in line with appropriate timescales</p>	<p>4.1 The importance of billing clients in line with agreed practice and adhering to organisational timescales for billing e.g. interim billing every three months; assuming personal responsibility for checking that bill is accurate and up-to-date e.g. correct rate applied, correct disbursements included, time charge accurate and evidenced by work done on file; ensuring bill is mathematically correct.</p>

	<p>4.2 Arrange to pay third parties on time in relation to professional work, where relevant</p>	<p>4.2 Noting timescale required for payment upon receipt of invoice; understanding obligation to meet the payment regardless of whether put in funds by client e.g. for disbursements;; understanding importance of making prompt payment e.g. reflects well upon the organisation and the profession; checking that invoice is in line with expected cost e.g. querying any apparent variance; completing all necessary documentation to request payment and making payment within timescale e.g. implements AC 2.3.</p>
<p>5. Be able to keep accurate records of the financial considerations in relation to legal matters</p>	<p>5.1 Record, in line with legal, organisational requirements, financial information relating to third parties including:</p> <ul style="list-style-type: none"> • money owed • money paid 	<p>5.1 Ensuring that money owed and money paid is recorded e.g. by implementation of AC 2.3.</p>
	<p>5.2 Check billable time for professional work has been accurately recorded by relevant parties in line with legal, organisational and regulatory requirements</p>	<p>5.2 Ensuring by checking that work done by others is accurately recorded and charged in line with agreement or expectation e.g. that any disbursements have been charged at the correct hourly rate; querying any apparent variance . This AC also requires implementation of AC 2.4 e.g. that work done by self and others on the client's matter has been correctly recorded e.g. within ambit of retainer.</p>

	5.3 Record required information in relation to payment and collection of finances in line with legal, organisational and regulatory requirements	5.3 Evidencing compliance with legal, organisational and regulatory requirements e.g. SRA Accounts Rules, organisation's billing and costs recovery practice; understanding objective of compliance to maintain good financial management e.g. cash flow and keep client money safe; recording and maintains information as required e.g. implementing ACs 2.3, 2.4 and 4.1.
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Additional information about the unit	
Unit aim(s)	To enable learners to understand the processes for managing financial considerations in relation to legal matters, to arrange for payment from client and maintain accurate records of financial transactions.
Unit review date	30 th November 2017
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	Skills for Justice
Location of the unit within the subject/sector classification	15.5 Law and Legal Services
Name of the organisation submitting the unit	Skills for Justice
Availability for use	Shared
Availability for delivery	1 st April 2013

Title	Unit 13 Prepare for financial transactions in relation to legal matters
Level	4
Credit value	5

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Understand the legal, organisational and regulatory requirements in relation to preparing for financial transactions	1.1 Explain the legal, organisational and regulatory requirements in relation to cost estimates for legal work	1.1 Understanding the different sources of legislation that may impact upon provision of cost estimates for legal work e.g. the principles and outcomes relating to client care and costs in the SRA Code of Conduct; the requirements relating to contentious business agreements set out in Solicitors Act 1974; the Civil Procedure Rules (CPR) relating to costs budgeting; other statutory requirements that impact upon the provision of cost estimates for both legal and non-legal work e.g. legislation protecting consumers that makes it a criminal offence to obtain business by giving a misleading price indication to a consumer. Keeping up-to-date with legal authority relating to cost estimates. Being aware of Approved Regulator's guidance setting out best practice for costs; understanding organisation's client care procedures and precedents e.g. policy as to timing and periods to be covered in cost estimates.

	<p>1.2 Explain the legal, organisational and regulatory requirements in relation to billing for legal work</p>	<p>1.2 The importance of the terms of the retainer on the frequency of billing e.g. if the retainer does not contain terms allowing staged payments it will be considered an “entire contract” and costs cannot be sought, except disbursements, before the work has been completed. Understanding the difference between interim bills and interim statute bills or final bills as the status of a bill determines whether a solicitor can sue upon it and/or whether a client has a right to detailed assessment of it. The form and content of bills. The statutory requirements for signing and delivering bills. The importance of client’s right to challenge or complain about a bill, including the right to a detailed assessment of the bill. The organisation’s internal complaints procedures for resolving disputes about bills. Understanding options available for recovering costs from clients e.g. liens, suing for costs or statutory demands.</p>
	<p>1.3 Explain the legal, organisational and regulatory requirements in relation to processing payments for legal work</p>	<p>1.3 The mandatory principles of the SRA Code of Conduct applying to the handling of client money; the SRA Accounts Rules relating to client accounts, the use of client accounts, receipt and transfer of costs, withdrawal of client money; Approved Regulator’s guidance as to best practice; the organisation’s procedures for processing payments. Being aware of the types of activities that might indicate money laundering e.g. large cash payments; the organisational systems, policies and procedures in place to prevent money laundering e.g. how and who to report suspected activity to. The role of the Compliance Officer for Finance and</p>

		Administration (COFA) and Head of Finance and Administration (HOFA).
2 Understand the principles in relation to preparing for financial transactions	2.1 Explain the resources available for assessing a client's means to pay for legal work	2.1 Obtaining information direct from client as to own financial position; reviewing client's domestic insurance policies to see if they cover legal expenses; reviewing other available insurance policies e.g. Directors & Officers or Professional Liability. If client is a member of a trade union contacting them to discuss extent of support.
	2.2 Explain the range of external funding streams that may be available to clients	2.2 Public funding e.g. state funded legal aid operated by Legal Aid Agency; Third Party funding (TPF) e.g. a provider of finance covers the expense of bringing legal proceedings in exchange for a return tied to the outcome of the case usually a portion of the damages; Legal Expenses Insurance provided under policies taken out either Before the Event (BTE) or After the Event (ATE); other insurance cover e.g. claims triggering professional liability insurance policy; assistance from a trade union.
	2.3 Explain the eligibility criteria for different funding streams	2.3 Understanding the limited scope of public funding available for civil litigation e.g. for debt claims only where there is an immediate risk to the home, the Funding Code rules applicable to eligibility such as the means and merits tests, the types of permitted work. The types of claim and acceptable risk factors for provision of ATE insurance. Ensuring compliance with terms and conditions of insurance policies.
	2.4 Explain the implications of inaccurate cost estimation for:	2.4 Clients: Depriving client of opportunity to: instruct another organisation that may have

	<ul style="list-style-type: none"> • clients • the organisation 	<p>charged less; call a halt to work on matter before substantial costs incurred. Distinguishing between estimates that are too low due to organisation under-estimating work or disbursements involved, and estimates too low due to change in circumstances of case requiring additional work e.g. delayed completion (conveyancing) or enforcement action required when employer fails to pay award of employment tribunal (employment) may not have been estimated. Differing consequence of both e.g. client may have reasonable justification for not paying amount of bill which exceeds estimate.</p> <p>Organisation: Findings of negligence in providing estimate, there must be good reason for difference between estimate and final bill. Complaints against organisation - distinguishing between the fairness and reasonableness of charges and the adequacy of client care information provided to client; use of organisation's complaint's procedure, assessment of costs by court, complaints to Legal Ombudsman.</p>
	<p>2.5 Explain the importance of ensuring financial transactions are accurate</p>	<p>2.5 Ensuring costs remain within estimate. Meeting client care obligations under SRA Code of Conduct; meeting SRA Accounts Rules relating to client accounts; preventing complaints being made to organisation, Legal Ombudsman; applications for assessment of costs; maintaining confidence in organisation's legal services and in the legal profession generally.</p>

	2.6 Explain the different billing structures of own organisation	2.6 Knowing hourly rates of fee earners working on matter and when these may increase, must be in line with guideline hourly rates; when fixed fee options apply and can be agreed and how calculated; distinguishing between Conditional Fee Agreements (CFAs) and Damages Based Agreements (DBAs). Being aware of advantages and disadvantages of each option for client and for organisation.
	2.7 Explain the factors that may affect the billing structure used with a client	2.7 The importance of taking into account: features of case, client's means and eligibilities, and organisation's policies e.g. organisation's ability to fund cases run under CFAs and/or DBAs until complete; the value of the case as costs need to be proportionate to value so low value claims lend themselves to fixed fees to ensure costs remain proportionate, high value to other arrangements such as DBA which ties costs to damages. The complexity and size of case may impact on time it takes to resolve. The services required as certain tasks lend themselves to fixed fee because they are straightforward and quick e.g drawing up a will (personal client).
3 Understand the processes in relation to preparing for financial transactions	3.1 Explain how to assess a client's means to pay using different resources	3.1 Establishing the likely cost of case and comparing this to what client can afford to pay taking into account what client has advised about own income e.g. whether receiving income support directly or indirectly; the value of any capital, both money and property, the value of income, both gross and disposable. Reviewing client's domestic insurance policies to establish scope and extent of cover and any shortfall,

		reviewing other available insurance policies to establish position on legal costs.
	3.2 Explain how to assess clients' eligibility for external funding	3.2 Taking into account: features of case, as noted in AC 2.7, both client and organisation's means and eligibility considerations noted in AC 2.3 to find best match of external funding for client.
	3.3 Explain how to prepare a cost estimate using relevant information	3.3 Identifying period covering cost estimate e.g. particular item of work; a stage in the case such as pre-action; or all stages up to trial or tribunal (employment) (once proceedings issued ensure costs estimate in line with costs budget required under CPR); tasks required within each stage. Calculating how many hours spent on each task at each stage by each level of fee earner, taking into account importance and complexity of task e.g. a partner should not be collating documents to accompany letter of claim. Understanding consequences of applying inappropriate level of fee earner to carry out task e.g. cost for task capped at level of fee earner considered reasonable to undertake task. Considering costs of Counsel, if required; costs of experts e.g. in family cases; costs of technical disclosure consultants. Obtaining estimates from these external sources to feed into own estimate. Clarifying status of estimate with client e.g. not fixed fee quote, estimate dependent upon whether case progresses as set out in estimate. Agreeing a ceiling figure if unable to provide a precise estimate figure; updating estimate on regular basis to reflect actual work and any changes in estimated work; warning client about

		and explaining reasons for any changes to original estimate.
4 Be able to establish a means of payment for legal work	4.1 Assess whether clients have the means to pay for work using relevant resources	4.1 This AC is about implementing the actions and considerations in AC's 2.1 and 3.1
	4.2 Assess clients' eligibility for external funding against relevant criteria	4.2 This AC is about implementing the actions and considerations in AC's 2.2, 2.3 and 3.2
	4.3 Provide guidance to clients on applying for external funding where they may be eligible	4.3 Following principles and outcomes relating to client care and funding arrangements as set out in SRA Code of Conduct and as above. Applying conflict of interest protections where nature of funding arrangement means organisation has interest in outcome of case e.g. a CFA or DBA.
5 Be able to agree details of financial transactions with clients	5.1 Produce a written cost estimate for clients using relevant information in relation to agreed work	5.1 This AC is about implementing the actions and considerations in AC 3.3.
	5.2 Agree the billing structure with clients in line with organisational requirements	5.2 Discussing all options with client, explaining how each option works and what it does and does not do. Agreeing with client best option for it taking into account what client can afford and the features of case. Ensuring client understands how the work will be charged. Setting out how work will be charged, either in client care letter or separately. Obtaining client's written agreement to this either by their signing and returning client care letter or confirming position in own letter. Advising client of any changes to charges e.g. increase in hourly rate charged by particular fee earner.

	<p>5.3 Provide accurate billing documentation for clients' agreed work in line with legal, organisational and regulatory requirements</p>	<p>5.3 This AC is also about implementing the actions and considerations in AC 1.2. Examples of evidence of compliance would be: copy of retainer signed by client; copy of client care letter advising client of status of bills; client's right to complain about bills; the procedure for doing so; the levels of service e.g. frequency of billing (all to comply with SRA Code of Conduct); copies of interim bills rendered and any accompanying narratives; copies of time records/sheets if agreed in retainer; copies of final bill.</p>
	<p>5.4 Comply with all legal, organisational and regulatory requirements for preparing for financial transactions</p>	<p>5.4 This AC is about implementing the actions and considerations in this unit. Examples of evidence of compliance would be: attendance notes recording discussions with clients about costs and funding options; assessments of different funding options; evidence of client's means e.g. bank statements; cost risk analysis of case; signed copy of the retainer; signed copy of client care letter setting out agreed levels service regarding cost estimate; copies of estimates received from counsel or experts; disclosure consultants; original cost estimate plus any updated estimates; letter to client warning of change in estimate and explaining reasons for change; signed copy of any funding agreement entered into.</p>

Additional information about the unit	
Unit aim(s)	To enable learners to understand the principles and processes in relation to preparing for financial transactions, to be able to establish a means of payment with the client and to agree details of financial transactions with clients.
Unit review date	31 st December 2017
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	Skills for Justice
Location of the unit within the subject/sector classification	15.5 Law and Legal Services
Name of the organisation submitting the unit	Skills for Justice
Availability for use	Shared
Availability for delivery	1 st April 2013

Title	Unit 14 Preparing cases for representation in formal proceedings
Level	4
Credit value	5

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Understand the role of the adviser in preparing cases and clients for formal proceedings	1.1 Evaluate why it is important to work within the limits of own level of responsibility	1.1 Understanding that acting beyond limit of responsibility breaches organisational, ethical and legal standards e.g. conduct must be compliant with client's expectation of reasonable competence in the conduct of matter; avoiding exposing client to potential risk through lack of experience; breach may lead to internal and professional disciplinary action for breach of the Solicitors Code of Conduct if responsibility exceeded as to skill, competence and expertise.
	1.2 Explain how to interpret legislation and case law relevant to the case	1.2 Establishing key factual, evidential and legal issues in the case e.g. sexual harassment at work (employment) domestic abuse (family); reviewing legal databases e.g. LexisLibrary, Westlaw and practitioner's texts and CPR for preliminary understanding of any likely relevant legislation and case law e.g. employer's duty of care; reviewing specific key legislation and relevant case law.
	1.3 Analyse how to assess the strength of evidence and its relevance to the case	1.3 Establishing key issues which the court/tribunal will need to determine to impose liability e.g. evidence of duty, breach and causation e.g. factual, documentary,

		<p>including contractual documentation and expert evidence; assessing strength and weakness of the evidence objectively on the balance of probabilities e.g. does evidence support or weaken the case e.g. anticipating likely challenges to evidence and court/tribunal's likely approach; considering whether further evidence might assist e.g. additional witnesses; reviewing evidence as a whole after exchange of evidence.</p>
	<p>1.4 Explain the different kinds of formal proceedings</p>	<p>1.4. Understanding that formal proceedings are before the Courts (civil, criminal and Coroner) and before Tribunals e.g. employment; the function of the different tiers of courts within the court hierarchy including Coroner's courts and civil appeal function e.g. County, High, Court of Appeal, Supreme Court; the purpose of formal proceedings different judicial hierarchy and types of proceedings brought before each forum e.g. including arbitration pursuant to Statute and to contractual provision</p>
	<p>1.5 Analyse the different types of documentation required for preparing and presenting cases in formal proceedings</p>	<p>1.5. Understanding range of documentation required relevant to the forum; ensuring correct documentation is used according to forum; checking to ensure, e.g. by referring to family Procedure Rules (FPR) and/or specific Court Guides e.g. Chancery Guide, Commercial Court Guide etc.; correct usage of required documentation e.g. court/tribunal-prescribed forms and original material e.g. statements of case; identifying documentation and content required for initial preparation and issue of proceedings, to progress case and through to conclusion.</p>

	<p>1.6 Analyse why it is important to prepare the client for formal proceedings</p>	<p>1.6. Explaining the stages and timescales of formal proceedings, including pre-action, and potential outcomes e.g. likely duration, hurdles to be overcome; tactics of litigation e.g. offers and risks of litigation; preparing the client for cross examination; explaining that the client is advised at the outset of the above and kept informed as to progress and reasons for any delay or difficulties; familiarising the client with court/tribunal protocols e.g. ensuring client is aware of continuing duty of disclosure throughout litigation process even during trial; language; formalities; court dress; conduct of hearing; the importance of avoiding complaints; avoiding client being anxious during the litigation and being unnerved and distracted when giving evidence.</p>
	<p>1.7 Analyse the importance of complying with rules, precedents and ethics relating to the relevant areas of law relating to the case</p>	<p>1.7 Understanding importance of compliance to ensure that no procedural or ethical obstacle arises to prevent progress e.g. limitation point; conflict of interest; understanding that failure to comply may lead to inadmissibility of evidence or dismissal of case; e.g. failure to plead fraud; failure to exchange witness evidence or to disclose documentation; understanding that failure to include certain elements of a claim may lead to problem with recovery e.g. interest; understanding that court may sanction non-compliance in costs against the client and against the organisation e.g. wasted costs orders.</p>
<p>2 Be able to research information relevant to a client's case</p>	<p>2.1 Analyse the sources of evidence relevant to the case</p>	<p>2.1 Establishing key issues and considering client's own evidential resources e.g. client's instructions; witness corroboration; documentary evidence e.g. medical records; plans; photos; client's documents; police and CAF/CASS reports; considering early requests for further information from opponent e.g. in letter of claim for accident records; wages information; considering need for pre-action disclosure of relevant evidence;</p>

		considering need for independent evidence e.g. expert evidence or independent witnesses; utilising court procedures to obtain evidence from opponent e.g. considering need for non-party disclosure and specific disclosure applications for documentary evidence.
	2.2 Evaluate the available evidence relevant to the case	2.2 This AC involves implementation of AC 1.3.
	2.3 Analyse the statutory and case law relevant to the case	2.3 This AC involves implementation of AC 1.2
	2.4. Evaluate the rules and precedents relating to the relevant areas of law	2.4 Ensuring that relevant rules and precedents are utilised; distinguishing between rules e.g. CPR/FPR and case law precedents; understanding need to check which rules and precedents might apply to the matter and relevance e.g. specifically with case law precedents, querying whether other case law might be advanced e.g. especially in relation to quantum. This AC involves implementation of AC 1.7

	<p>2.5 Evaluate the strength of the available evidence relating to the case</p>	<p>2.5 The need to evaluate by balancing the strengths and weaknesses of the available evidence according to its application to key issues; understanding the need to consider pieces of evidence separately and as a body; evaluating evidence according to credibility and weight e.g. assessing whether witness is convincing, reliable and relevant to key issues e.g. considering dispensing with evidence, if necessary and permissible e.g. weak witness statement; appreciating the rules of evidence e.g. that there is “no property in a witness” and understanding implications of weak evidence on client’s case; understanding rules relating to disclosure of documentary evidence e.g. adverse documents; understanding need to disclose and possible impact on evidence e.g. documentary evidence may be contemporaneous and reliable e.g. photographs e.g. of considerable evidential weight; reviewing whole body of evidence e.g. assessing whether other evidence minimises weakness; reviewing the evidence objectively and anticipating challenge by opponent and rejection of evidence by court e.g. because of lack of independent evidence and client unconvincing on key issues. This AC also involves implementation of AC 1.3.</p>
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	<p>2.6 Analyse the range of options available to progress the client's case</p>	<p>2.6 Understanding range of Court or tribunal's power to progress case; making full use of applications where appropriate to progress client's case e.g. for non-compliance with directions timetable; understanding range of ADR options for settlement e.g. mediation, arbitration; considering application to client's case; making good use of tactical procedures e.g. service of notice to admit facts; showing confidence with negotiations and understanding tactical usefulness of negotiation where client's case weaker e.g. understanding effect and impact of CPR part 36.</p>
	<p>2.7 Evaluate the strength and credibility of lay and expert witnesses relevant to the case</p>	<p>2.7 Understanding importance of lay and expert evidence; ensuring independence and impartiality of lay witnesses where possible; evaluating usefulness by reference to key issues; checking expert's credentials and status; matching status of expert to opponent's e.g. uses medical expert of Consultant status if appropriate. This AC also involves implementation of ACs 1.3 and 2.5.</p>
<p>3 Be able to prepare cases for presentation in formal proceedings</p>	<p>3.1 Prepare issues for presentation in formal proceedings using the prescribed format</p>	<p>3.1 Showing awareness of typical requirements for presentation of issues in prescribed format e.g. requirements for information in letter of claim (pre-action protocols); proper pleading of statements of case; ensuring any amendments to required forms are compliant with requirements; ensuring lay and expert evidence complies with relevant format; showing awareness of when to prepare additional documents as required to assist court e.g. chronology and skeleton arguments where issues are complex.</p>
	<p>3.2 Evaluate the merits of different arguments relating to the case</p>	<p>3.2 Understanding that merit may be derived in different ways e.g. from facts, law, case law and strength of evidence e.g. independent and contemporaneous;</p>

		<p>understanding that arguments may be more or less persuasive dependent on evidence and source e.g. Court of Appeal decision on key issue.</p> <p>This AC also involves implementation of ACs 1.2, 1.3 and 2.5.</p>
	3.3 Prepare all relevant legal documents for the case following prescribed procedures	<p>3.3 Showing awareness of which documents must follow prescribed procedures e.g. for issue, for service, for exchange of evidence e.g. witness statements; list of documents; expert evidence; and for preparation of applications and for trial or hearing e.g. content of application and presentation of trial bundle; ensuring preparation of court/tribunal documents in compliance with specific requirements according to objective.</p> <p>This AC also involves implementation of AC 3.1.</p>
	3.4. Present documents for disclosure using required format and procedures	<p>3.4 Showing awareness of principles and obligations of disclosure and awareness of current practice and procedure; understanding on-going duty imposed upon the organisation and the client as to the responsibilities of disclosure e.g. disclosure of adverse documents; following guidance as to listing of documents and as to providing inspection; understanding rules governing privilege and to redaction of documents e.g. legal professional privilege and its scope.</p>
	3.5 Follow all required procedural processes and timescales	<p>3.5 Showing awareness of procedural processes and timescales e.g. compliance with specific pre-action protocol; limitation of action; court directions; adhering to court timetable as required; seeking variation to court timetable if unable to adhere to timetable; handling all requests for information and for inspection as required and within timescales.</p>

	3.6 Provide expert witnesses with required instructions according to procedural rules	3.6. Ensuring permission obtained for expert evidence; following guidance provided by CPR or FPR as to provision of instructions e.g. relevant documents, facts and issues to be addressed, timescales; ensuring expert can comply with his/her duty to the court e.g. by the provision of a report within timescale; ensuring obligations are met when experts are instructed jointly e.g. ensuring opponent copied in to all communications and that substantive communication is in writing only.
	3.7 Provide lay witnesses with all relevant information and instructions relating to the case	3.7 Ensuring witness is guided as to requirements and importance of their involvement during case and at trial or hearing e.g. truthfulness of statement; importance of statement of truth; that they may be required to give evidence; ensuring witness understands court/tribunal formalities e.g. how to give evidence; ensuring witness has copy of relevant information in advance e.g. their statement and associated documents; ensuring witnesses availability is checked as soon as trial window given; advising witness of trial date as soon as known; giving practical directions as to location of court and duration of hearing; ensuring witness knows how to claim for costs of attendance where appropriate e.g. to recover transport cost or loss of earnings.
	3.8. Follow all relevant legislation, codes of practice, procedural rules and ethical requirements relating to representation in formal proceedings	3.8 Complying with all relevant requirements for the conduct of formal proceedings e.g. conducts litigation in line with professional SRA Code of Conduct This AC also involves implementation of ACs 3.1 and 3.3-3.6.
4 Be able to prepare clients for formal proceedings	4.1 Provide clients with information on the roles and responsibilities of those involved in the formal proceedings	4.1 Ensuring client understands their own role and responsibility within proceedings e.g. the retainer letter; the importance of their instructions; understanding the role of others e.g. witnesses; experts and counsel and of the judicial function; explaining any limits on the role e.g.

		an expert's primary duty is to the court and not to the instructing party; a judge's role is to be impartial and objective; ensuring client understands the opponent's role and that of opposing counsel e.g. to present counter-argument. This AC also involves the implementation of AC 1.6.
	4.2 Explain the possible outcomes of the proposed proceedings to the client	4.2 Ensuring client understands risks of litigation: that client may not achieve desired outcome; may have to settle for less; may be penalised in costs e.g. complies with regulatory requirements to act in client's best interests; ensuring understanding of potential need to compromise claim in advance of trial, if so advised; ensuring client understands impact of their own conduct on the outcome e.g. effect of any contributory negligence; non-compliance with court directions.
	4.3 Explain the stages and timescales of the formal proceedings to the client	4.3 Understanding stages and timescales and relays same to client in clear, accessible way; identifying any reasons why standard timescales may be varied; keeping client advised of any changes and impact on timescales e.g. any procedural step taking longer than anticipated; ensuring client is aware of key dates and can comply e.g. to provide documents for disclosure; to exchange witness statements; to attend medical examination; conference with counsel and trial. This AC also involves implementation of AC 3.5.
	4.4 Check the client's availability for formal proceedings where relevant	4.4 Enquiring as to client's availability in advance of completion of relevant court questionnaire e.g. ensuring accurate information as to availability provided to court; ensuring client is aware of trial window when allocated; making early and reasoned application to court for variation of trial window if client unavoidably cannot attend e.g. sudden illness.

	<p>4.5 Provide the client with information on the nature of the arguments that will be used in the case</p>	<p>4.5 Understanding that client must be kept involved in the process; anticipating and advising the client as to the counter-arguments which might be advanced; ensuring client receives information about the arguments being used e.g. discusses with client statements of case; witness evidence; explaining to client the nature of the arguments as they develop and their strengths and weaknesses; ensuring client is aware if original objectives are no longer capable of achievement; providing client with options for compromise.</p>
	<p>4.6 Confirm that the client understands the processes and procedures relating to the case</p>	<p>4.6 Establishing at outset that client has capacity to understand; explaining to client at the outset what is involved in process and procedure, including any risks; requesting client to ask any questions to clarify any lack of understanding; ensuring request is repeated throughout the process as client communication progresses through the case e.g. when writing to client or speaking with them.</p>
	<p>4.7. Obtain the client's agreement to the case proceeding</p>	<p>4.7 Understanding importance of acting only on instructions; ensuring recording of client's agreement to proceeding e.g. in attendance note of meeting or telephone call; evidencing agreement e.g. by asking client to confirm in writing or by reference to agreement in subsequent correspondence.</p>

	<p>4.8 Provide the client with any relevant information they may require relating to the case</p>	<p>4.8 Ensuring reasonable requests for information and queries are responded to by prompt communication e.g. compliant with regulatory requirements e.g. SRA Code of Conduct O1-6; identifying any reason why information cannot readily be provided e.g. photocopying of papers and cost; arranging with client alternative means of accessing information e.g. by attendance at office; ensuring client receives level of service agreed to be provided e.g. in retainer letter.</p>
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Additional information about the unit	
Unit aim(s)	To enable learners to: understand the processes involved in preparing cases for representation in formal proceedings, research relevant information to inform the preparation, prepare clients for the proceedings and prepare the case for formal proceedings.
Unit review date	30 th September 2016
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	Skills for Justice
Location of the unit within the subject/sector classification	15.5 Law and Legal Services
Name of the organisation submitting the unit	Skills for Justice
Availability for use	Shared
Availability for delivery	April 2013

Title	Unit 6 Providing legal advice to clients
Level	3
Credit value	5

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Understand the process and procedures of providing legal advice	1.1 Analyse the kind of legal advice that can be provided to the client	1.1 Interpreting the impact of any legislation or case law; legal terms and obligations under contracts, procedural rules and regulations, statutory or common law obligations. Taking into account client's needs and circumstances as required in SRA's Code of Conduct.
	1.2 Explain why it is important to establish the client's needs including possible emergency advice	1.2 Identifying the extent of client's needs in order to tailor services to meet these. Ensuring you/the organisation is authorised to provide type of legal advice relating to client's problem; having necessary resources, skills and procedures to provide legal advice. Establishing limits of own expertise and authority and confirming with client. Establishing whether any legal or procedural deadlines are imminent and how these can be met. Does situation require immediate action to protect client's interests e.g. preventing action from being statute barred, applying for an injunction to protect financial interests of client, applying for a non-molestation order?

	<p>1.3 Evaluate the facilities available to research answers to the client's needs</p>	<p>1.3 Distinguishing between: primary sources of law or authority e.g. statutes; regulations; court orders; court decisions; and secondary sources e.g. commentaries; paper and electronic resources e.g. hardcopy library of law reports; reference books or electronic databases with legal search engines; own organisation's knowledge management systems or external databases. Checking how up-to-date or relevant these resources are. Does research extend to expert evidence, is this available internally or externally? Utilising the collective knowledge and experience of the department/organisation e.g. discussing with colleagues who have dealt with similar issues in their cases; comparing the client's case to another similar case file.</p>
	<p>1.4 Analyse the organisational, legal and ethical considerations that impact on the provision of legal advice</p>	<p>1.4 Professional obligations under SRA's Code of Conduct relating to client care e.g. type of information that must be provided to client regarding regulatory status, complaints and costs. Level of fees including disbursements, taxes and retainer. Determining whether there are any potential conflicts of interest, or confidentiality, disclosure, health and safety or security issues. The importance of money laundering checks. The application of principles of equality and diversity.</p>
<p>2 Be able to define the client's needs</p>	<p>2.1 Analyse the available client information to define needs</p>	<p>2.1 Reviewing all information provided by client e.g. verbally at interview; contractual documents; correspondence relating to problem; bank statements. Eliciting all facts, not</p>

		<p>just what client thinks is important. Highlighting gaps in factual knowledge that need to be filled. Using appropriate follow up questioning techniques to draw out relevant facts from client. Deciding whether best to do so orally or in writing. Exercising judgment as to client's needs.</p>
	2.2 Confirm client needs and expectations with client	<p>2.2 Summarising own understanding of the nature of the problem and what client wants to achieve. Confirming with the client that this is correct. Identifying where there are differences between client's expectations and possible solutions. Managing expectations. Deciding whether it is best to carry out this task orally or in writing. Maintaining accurate attendance and file notes.</p>
	2.3 Provide client with information on organisational and legal systems and procedures relevant to case	<p>2.3 Utilising aspects of client care letter relevant to case to inform client of arrangements relating to complaints and costs. Explaining lawyer and client responsibilities e.g. lawyer will review matter regularly; client will preserve and provide all documentation required. Highlighting relevant requirements relating to confidentiality; data protection; disclosure; health and safety and security. Explaining consequences of non-compliance with requirements e.g. not preserving documents; non-payment of fees.</p>

	2.4 Develop a case plan with the client that meets their needs and complies with organisational and legal requirements	2.4 Agreeing with client an appropriate level of service which specifies type and frequency of communications; steps to be taken; time frames of these and their importance; potential risks or complications that may arise; methods of obtaining further evidence if required. Setting these out in writing to obtain approval and instructions from client. Reviewing case plan regularly
3 Be able to provide legal advice to meet the client's needs	3.1 Demonstrate how to research available resources to establish information to meet the client's needs	3.1 This AC is about implementing the actions and considerations in AC 1.3. An example of evidence would be a copy of a relevant case authority or a keyword search for commentary on an electronic database.
	3.2 Advise the client on the options available to them	3.2 Providing legal advice which addresses the client's problem realistically and which does not prejudice client's best interests i.e. takes into account client's needs and circumstances. Setting out available legal and other options for client in manner appropriate to the client e.g. using clear and simple language; providing advice orally or in writing. Only using legal jargon where necessary and always with appropriate explanation. Carry out risk and expense assessment for each option? Providing client with the information to allow them to make informed decisions.
	3.3 Check the client's understanding of the options	3.3 Working with client to assess advantages and disadvantages of each option. Ensuring client is fully aware of risks and costs attached to each option. Confirming that the client has understood options; explaining options further

		either by way of meetings or correspondence if necessary. Being aware of potential consequences if client makes a decision without understanding all options i.e. complaint against individual/organisation.
	3.4 Agree with the client any required follow up actions	3.4 Explaining to the client any further action required e.g. additional facts, contact details for witnesses, provision of documents or further meetings. Distributing responsibility for actions between you and client e.g. client must provide documents by a certain time and you will provide advice so many days/weeks after this. Obtaining agreement from client to this, ideally in writing. Setting up diary system to chase up and or progress once received. Continually reviewing progress of follow-up actions.
	3.5 Record and store client and case details using organisational procedures	3.5 Opening hardcopy and/or electronic file in line with organisational procedure. Recording information following house style i.e. attendance notes, standard form letters. Storing information either in hardcopy or electronic form as required. Following organisation guidelines as to data protection and security checks on client details. Retaining documents in line with organisation's file retention policy.

Additional information about the unit	
Unit aim(s)	To enable learners to understand how to identify a client's needs in terms of advice, ensuring that the organisation is able to provide the required advice and providing the relevant advice, following all legal and organisational procedures for providing legal advice.
Unit review date	30th September 2016
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	Skills for Justice
Location of the unit within the subject/sector classification	15.5 Law and Legal Services
Name of the organisation submitting the unit	Skills for Justice
Availability for use	Shared
Availability for delivery	1 st April 2013

Section 3- Optional Group 2

Unit Number	Unit Title	Page numbers
12	Contribute to the quality of team working	112-118
13	Ensure your own actions reduce risks to health and safety	119-122
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15	Maintain and develop your own knowledge, skill and competence	128-133
16	Managing interviews with legal advice clients (common unit)	134-138

Title	Unit 12 Contribute to the quality of team working
Level	3
Credit value	3

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Know and understand the principles that underpin effective team working	1.1 Explain why effective team working is important	1.1 Understanding that effective team working leads to achieving business goals and contributing at all levels to outcomes of a high standard of legal service to clients; being able to find legal solutions to complex problems through the application of skills in different areas of expertise by different team members; ensuring the right work is done by the right people at the right level of expertise so that the project is dealt with in a timely and cost effective way; developing a supportive working environment by sharing projects and preventing feelings of isolation; appreciating that the synergy of teamwork benefits the client, the organisation and the team members themselves.
	1.2 Describe the nature and limits of own role and how it relates to the work of others in the team and the wider organisation	1.2 Realising that there are only certain tasks you are able to carry out dependent on the stage you have reached in your legal education and your level of expertise and experience; understanding

		<p>that, if you are unable to carry out assigned tasks because they are beyond your ability, it will impact adversely on all the other members of the team who will either have to do the work themselves or will not be able to complete their part of the project as a result, or both; appreciating that this reflects very badly on both you, the team and the entire organisation. Understanding purpose of role and how it contributes to work of team and organisation e.g. legal research task may be in relation to a specific client matter but if incorrect can affect work efficiency and reputation of supervisor and reputation of whole firm.</p>
	<p>1.3 Explain the importance of working within the limits of own competence, responsibility and accountability</p>	<p>1.3 See section 1.2 above but also being fully aware of what you can and cannot do and not agreeing to undertake tasks that are beyond your capability and/or which you would not be able to achieve by the required deadline; in addition, having a clear view of the team's objectives and timescales, ensuring as far as possible that such tasks are dealt with by other team members with the appropriate expertise, where necessary (and only where necessary). Being aware of consequences of working outside competence, responsibility and accountability for team and organisation e.g. duplicating work.</p>
	<p>1.4 Identify the factors that can contribute to effective team working</p>	<p>1.4 Understanding that (and why) the right people are assigned the right parts of the project, bearing in mind their levels and areas of expertise and current workloads; generating trust amongst colleagues by good communication with other team members, meeting deadlines and</p>

		producing good work; encouraging team work; respecting linguistic or cultural differences between team members.
	1.5 Identify the factors that can hinder effective team working and ways of addressing them	1.5 Appreciating that such factors are in large part the converse of section 1.4 above; placing own ambitions above teams. Understanding ways of addressing factors e.g. dealing with any conflicts quickly and effectively; avoiding arguments and unproductive discussion of past events or of irrelevant topics, participating in free and open discussions to share and solve problems that arise.
	1.6 Explain why it is important to contribute to the review and evaluation of the team's work and to any changes that are made as a result	1.6 Understanding that attendance at formal or informal team meetings by all members is essential so that everyone involved can participate and contribute to the review process; listening to each member's views on all areas of discussion and participating as necessary; helping to foster an ethos that all team members feel able to make their views known without feeling they are being judged, appreciating that the final responsibility for any decisions and/or changes made as a result of the review lies with the supervisor; appreciating that all contributions to the discussion will foster a feeling of value at all levels so that team members will commit more thoroughly to any necessary changes. Learning from mistakes and/or from successes to ensure efficient working practices.

	<p>1.7 Identify relevant legislation, organisational policies and procedures and explain the impact they have on team working</p>	<p>1.7 Being aware of legislation governing the workplace and ensuring that it is complied with fully at all times e.g. The Employment Rights Act 1996, The Equality Act 2010, The Health & Safety at Work Act 1974 and others; being familiar with any additional policies and procedures that specific organisations may have implemented; also knowing that such legislation and internal policies have a great impact on working practices, how colleagues should be treated and on how tasks or projects should be addressed and implemented and that failure to comply can result in legal action against both the organisation and the individual concerned.</p>
<p>2 Be able to contribute to effective team working</p>	<p>2.1 Organise own work to meet agreed team priorities</p>	<p>2.1 Understanding that different people have different methods of time planning and organisation and knowing that it is necessary to find and use whichever works best for you; methods can range from simple 'to do' lists to diaries, year planners, personal organisers, computer programmes, case management systems and so on but nothing is more important than a positive mental attitude to get the job done properly and in an efficient and timely manner.</p>

	2.2 Use and maintain resources efficiently and effectively	2.2 Agreeing with supervisor and team members what resources are required for the project, what resources are available to the team and to the individual, and working with team members to make best use of resources, including staff resources; checking and planning the availability of resources to optimise use against the project targets, budgets and deadlines to ensure they are achieved; reporting any deficiencies/shortages in resources to relevant person so that appropriate action can be taken.
	2.3 Contribute to effective team working by communicating effectively, maintaining good working relationships, offering support, and dealing constructively with any issues that arise	2.3 This AC is about implementing the actions in ICs 1.4, and 1.5.
	2.4 Review and evaluate the team's work in conjunction with other team members	2.4 This AC is about implementing the actions in IC 1.6.
	2.5 Monitor the quality of work and alert others to quality issues	2.5 Considering whether the working practices of the teams are being optimised for best practice and accuracy; constantly thinking about and discussing with supervisor any potential refinements and improvements of own and of others' work; understanding the need for on-going review of all practices within the team by formal or informal discussion and implementing any agreed or necessary changes.
3 Be able to contribute to the development of team working	3.1 Identify constructive ways in which own work and that of the team can be improved	3.1 Analysing the reasons for success or failure in role as a team member; not being afraid or defensive about receiving feedback on own performance to improve own performance as a team member; focusing not just on own work but

		on the performance of the team as well as team objectives; undergoing regular performance reviews, realising that this is an on-going improvement process and should not automatically be seen as criticism.
	3.2 Inform the relevant people promptly about any issues affecting team working and service effectiveness	3.2 Appreciating the importance of ensuring that the relevant people are informed promptly (and knowing who they are e.g. supervisor or team leader), as it may have greater impact than might first appear and other action might need to be taken, such as informing other departments, the client and so on of any difficulties or delays that might be inevitable.
	3.3 Identify, in discussion with the team, any changes that need to be made and how these will be done	3.3 This is about implementing actions in IC 3.1.
	3.4 Make agreed changes to own work in a constructive and timely manner	3.4 This is about implementing actions in IC 3.3.
	3.5 Seek appropriate support when unsure about how to change own practice	3.5 This is about implementing actions in ICs 3.1 and 3.2.

Additional information about the unit	
Unit aim(s)	This unit is about understanding the importance of working effectively as part of a team in contributing to efficient working practice and putting the principles of good teamwork into practice.
Unit review date	29 th February 2016
Details of the relationship between the unit and relevant national occupational standards (if appropriate)	N/A
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Services
Location of the unit within the subject/sector classification system	15.5 Law and Legal Services
Name of the organisation submitting the unit	City and Guilds of London Institute
Availability for use	Shared
Availability for delivery	1st September 2013

Title	Unit 13 Ensure your own actions reduce risks to health and safety
Level	2
Credit value	3

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Understand legal and organisational requirements in relation to health and safety	1.1 Describe the key features of the legislation, policies, procedures, codes of practice and guidelines in relation to duties for health and safety in the workplace	1.1 Setting out the structure and authority for regulating and enforcing health and safety in the workplace, including the Health and Safety at Work Act 1974 and the organisations health and safety policy. Prescribing the duties of both employers and employees e.g. employers must assess and implement measures and provide training to employees, and employees must co-operate with employers and co-workers to help everyone meet legal requirements. Limiting employers' responsibilities to what is 'reasonably practicable' e.g. must be technically possible and the cost of any measures must not be grossly disproportionate to the risk.

	1.2 Explain the reasons why it is important to take action to reduce risks to health and safety in accordance with relevant legal and organisational requirements	1.2 Providing a safe working environment; reducing the number of working days lost due to illness or injury; retaining staff, motivating workers so boosting productivity; protecting the organisation's reputation; meeting legal obligations.
	1.3 Identify the risks to health and safety that may arise in the workplace, and describe the actions required to deal with them	1.3 Understanding sources of risk and people at risk e.g. ergonomics of workstation, blocking fire exits; contributing to the assessment of the risk for potential severity and likelihood; rating risk based on severity and likelihood; introducing measures to control risks; setting target date to review effectiveness of measures according to rating; adapting procedures where required e.g. if changes to legislation or increased number of incidents; keeping record of assessment and monitoring. Reporting deficiencies to supervisor and/or health and safety officer.
	1.4 Identify the 'responsible persons' to whom health and safety matters should be reported	1.4 Being aware of the workplace policies that are relevant to your working practices and the location of the Health & Safety Policy of the organisation as it names the responsible person for each part of the policy e.g. responsibility for ensuring the fire risk assessment is undertaken and completed (fire marshal or union representative) and responsibility for providing adequate training to ensure employees are competent to do their work.
	1.5 Explain the importance of personal conduct and personal presentation in maintaining own health and safety and that of others	1.5 Maintaining a safe environment in which to work; co-operating with employer and co-workers; creating a good impression of business; preventing the spread of infection e.g. keeping

		clean. Keeping work station tidy and free from obstructions; not overloading electrical sockets etc.
2 Be able to identify hazards and evaluate risks in the workplace	2.1 Identify aspects of the workplace and working practices which pose potential risks to self and others	2.1 Distinguishing between aspects of the workplace which pose potential risks e.g. faulty electrical equipment, floor surfaces such as wet walkways and working practices which pose potential risks e.g. not taking breaks from screen based tasks so that eyesight is strained.
	2.2 Evaluate potentially harmful working practices identifying those which present the highest risk to self or others	2.2 Implementing the actions and considerations set out in IC 1.3.
	2.3 Report high risk hazards to the 'responsible person'	2.3 Understanding what constitutes a high risk hazard e.g. broken chair, faulty electric cable. Implementing the actions and considerations set out in IC 1.4 and reporting to the responsible person.
3 Be able to reduce risks to health and safety in the workplace	3.1 Take action to deal with health and safety issues	3.1 Implementing the actions and considerations set out in IC 1.3.
	3.2 Make suggestions for reducing risks to health and safety to the 'responsible persons'	3.2 Implementing actions and considerations set out in AC 2.1 and making suggestions to reduce them to responsible person, as identified in IC 1.4. An example could be that appropriate footwear should be worn when crossing slippery floors.

Additional information about the unit	
Unit aim(s)	This unit is about understanding legal and organisational health and safety policies and legislation and conducting oneself in the workplace in a manner that minimises risks to the health and safety of self and others.
Unit review date	31 st December 2016
Details of the relationship between the unit and relevant national occupational standards (if appropriate)	SFJ IC9 Comply with legal, organisational and regulatory requirements in the provision of legal services
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Services
Location of the unit within the subject/sector classification system	15.5 Law and Legal Services
Name of the organisation submitting the unit	Skills for Justice
Availability for use	Shared
Availability for delivery	1st September 2013

Title	Unit 14 Equality and Diversity
Level	3
Credit value	6

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Understand the key features of a culture which promotes equality and values diversity	1.1 Explain the meaning and benefits of diversity and the promotion of equality	1.1 Promoting equality is about recognising and celebrating the diverse range of people and cultures in society and what each can bring to enhance and support the “common good”. The benefits of a diverse workforce in business as identified by the Confederation of British Industries (CBI) include: realising a wider pool of talent for recruitment and selection; improving productivity and satisfaction in the workplace because staff feel supported and valued in their own right; reducing absenteeism and staff turnover with a concurrent reduction in costs; increasing creativity as the dynamic between members of a diverse workforce stimulates innovation. The Law Society Diversity Charter and the SRA’s Code of Conduct also promote equality and diversity.
	1.2 Explain forms of inequality and discrimination and their impact on individuals, communities and society	1.2 Discrimination is the application of prejudicial or distinguished treatment of an individual or group based on their membership of a particular group or category e.g. gender, age, race (colour, nationality, ethnic or national origin), religion,

		disability, sexuality or sexual orientation. It can lead to oppression of minority groups and can in extreme cases, lead to violence against them. 4 forms of discrimination are recognised: direct, indirect, harassment and victimisation.
	1.3 Identify and outline the relevant legislation, employment regulations and policies and codes of practice relevant to the promotion of equality and valuing of diversity	1.3 In the UK, this is covered by the Equality Act 2010. Employment legislation also covers E&D including: recruitment, selection, promotion, redundancy/dismissal, employment terms and conditions including pay and benefits and opportunities for training. The IPS/CILEx and the SRA Codes of Conduct also highlight the importance of this in relation to clients, as well as employment policies.
2 Understand the importance of the promotion of equality and valuing of diversity for effective work in the sector	2.1 Explain how the promotion of equality and diversity can protect people from risk of harm	2.1 Fostering a greater understanding between individuals and groups and what each can contribute to society. With greater understanding comes greater tolerance, reducing risks of harm between individuals and groups.
	2.2 Explain action taken to value individuals and its impact	2.2 Actions can include those promoted by government and legislation; by organisations including employers and by individuals. Government actions and legislation can change behaviour but not necessarily change fundamental attitudes. Organisational actions e.g. equality of opportunity policies, may also not fundamentally change attitudes in the short term but good practice in promoting equality and valuing diversity in the workplace can change attitudes over time. Individuals can act by challenging discriminatory practices at work and in the wider community.

	2.3 Explain good practice in providing individuals with information	2.3 Ensuring compliance with duty to act in the client's best interest through good practice in the communication of equality and diversity policy and practice includes: oral communication both one to one and group communication e.g. team meetings; building equality and diversity training into induction programmes; implementing appropriate training and development for staff; written communication e.g. organisational equality and diversity policy displayed prominently; newsletters on notice boards highlighting good practice and/or changes to organisational policies and practice; encouraging contributions from all members of staff; electronic communications as appropriate.
3 Understand and demonstrate behaviour appropriate to the promotion of equality and valuing of diversity	3.1 Explain and demonstrate ways of communication and behaviour which support equality and diversity	3.1 Following the suggestions in AC 2.1-2.3
	3.2 Explain impact of own behaviour on individuals and their experience of the organisation's culture and approach	3.2 and 3.3 These involve self- reflection and reviewing own attitudes and behaviour against organisational policy and practice and best practice in terms of promoting equality and valuing diversity across all parts of the community.
	3.3 Explain the impact of own behaviour on own organisation's culture	
	3.4 Explain how working with other agencies can promote diversity	3.4 In the delivery of legal services this may include working with organisations that have referred clients to you e.g. local authorities, Citizens Advice Bureaux (CAB) and other voluntary sector agencies, Law Centres, some Pro Bono clinics etc. This may increase the diversity of clients you work with and foster a greater understanding of the importance of valuing diversity.

<p>4 Understand how to actively help others in the promotion of equality and valuing of diversity</p>	<p>4.1 Describe actions by individuals which can undermine equality and diversity and review strategies for dealing with these effectively</p>	<p>4.1 Actions can include conscious and unconscious discrimination between members of staff and also towards clients. When alerted to bad practice, this should be addressed immediately e.g. by bringing it to the attention of the individual or group perpetrating bad practice; by bringing it to the attention of your supervisor/HR department; by identifying any training and development needed by self. Where there is evidence of repeated and prolonged discrimination by a group or individual resulting in tensions at work, this may be referred for arbitration. Serious offences may result in disciplinary action against the perpetrator. The person discriminated against may decide to take action through the courts or a tribunal.</p>
	<p>4.2 Explain strategies for dealing with systems and structures which do not promote equality and diversity</p>	<p>4.2 These could include: organisational HR systems and structures; environmental systems and structures e.g. equality of access; equipment e.g. hearing loops for clients on the telephone. Deficiencies should be addressed as soon as practically possible and compliance with human rights and equality legislation should be monitored and appropriate improvements implemented.</p>
<p>5 Understand how to review own contribution to promoting equality and valuing diversity</p>	<p>5.1 Identify own strengths and areas for development in promoting equality and valuing diversity, using reflection and feedback from individuals</p>	<p>5.1 Self-reflection, performance management and appraisal; feedback from colleagues; feedback from supervisor; feedback from clients; implementing recommendations for development e.g. adapting behaviour and approach as necessary</p>

	5.2 Identify and use appropriate sources for support in promoting equality and valuing diversity, explaining why this is necessary	5.2 Establishing and accessing available sources: this could include: internal performance management /appraisal systems to identify training and development needs; internal training programmes on equality and diversity, external training programmes on equality and diversity; e-learning programmes on equality and diversity. This is important to ensure continuous improvement in terms of promoting equality and valuing diversity by organisations and individuals.
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Additional information about the unit	
Unit aim(s)	To enable learners to understand, promote and apply “best practice” in terms of equality and diversity in the workplace and in their dealings with clients.
Unit review date	29 th February 2016
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	Skills for Justice
Location of the unit within the subject/sector classification	15.5 Law and Legal Services
Name of the organisation submitting the unit	City and Guilds of London Institute
Availability for use	Shared
Availability for delivery	1 st September 2013

Title	Unit 15 Maintain and develop your own knowledge, skills and competence
Level	3
Credit value	3

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Understand the principles that underpin maintaining and developing own knowledge, skills and competence	1.1 Explain why maintaining and developing knowledge, skills and competences is important for individuals professionally and personally	1.1 Knowing that only by steady learning and development can the individual improve skills, knowledge and competence and develop and improve the analysis, problem-solving and evaluation skills essential in a professional lawyer; appreciating that this assists greatly with personal and professional development, not only from the viewpoint of the individual in terms of career development but also of the organisation in terms of the professional and commercial benefits of more experienced staff.
	1.2 Explain the importance of getting feedback on own knowledge, skills and competence	1.2 Realising that the views of more experienced colleagues and/or managers and supervisors can be invaluable and are often a more objective yardstick than the views of the individual in assessing performance and that progress is usually better judged by interested others; being aware that constructive feedback is a positive development tool and must never be used as a negative vehicle for criticism; knowing that a

		request for feedback must be just that and not an underlying wish for approval of a particular piece of work.
	1.3 Identify methods for reviewing own work and progress	1.3 Making sure that reviews of own work are carried out on a formal and informal basis by supervisor or manager and/or by colleagues on as many projects as possible as well as constant, frank thought and self-review as to whether any specific learning outcomes have been achieved together with critical reading of own work as well as comparison with own earlier work and the work of peers where possible to assess progress.
	1.4 Summarise the impact of changes in own role and the organisation own learning and development needs	1.4 Appreciating that roles in any organisation will rarely be constant and that they will change, sometimes in a subtle but sometimes in a radical way e.g. the recent re-structure of legal aid and personal injury work, reforms to litigation practice, or e-conveyancing; or changes may result from within the organisation itself e.g. taking on new responsibilities; understanding that the individual must react to such changes by assessing what those changes may mean for the individual and the organisation and by contributing to a strategy as to how they should be implemented, thus benefitting both the individual and the organisation; also considering carefully what additional learning needs the individual may have to comply with for the proposed changes and to perform the job more professionally as a result.
	1.5 Identify the different forms of support available for development needs	1.5 Development support will come in different forms in different organisations but appreciating that it is likely to come from the supervisors or managers in the first instance or from peers or more experienced colleagues, and that support is

		<p>just that: support and not a criticism of performance; appreciating the very wide range of other development support in the organisation and in the market. This could consist simply of peer-mentoring, formal or informal in-house training, external professional courses, webinars, formal legal qualifications or just extensive reading and study of the subjects in question, depending on the resources available to the organisation.</p>
	<p>1.6 Explain the importance of taking responsibility for own learning and development</p>	<p>1.6 Understanding that learning and development is a process of accumulating, and then applying, a range of knowledge and skills to given facts or situations and being aware that it is only the learner who can and must take ownership of this process: some skills can be taught through demonstration and practice e.g. interviewing, legal research etc. but others have to be learned and understood e.g. legislation and case law; understanding that it is only the learner who can do this and therefore has to take personal responsibility for it but to the benefit of both the individual and the organisation.</p>
<p>2 Be able to maintain and develop own knowledge, skills and competence</p>	<p>2.1 Gather feedback in order to assess own knowledge, skills and competence</p>	<p>2.1 In addition to 1.2 above and to simple honest self-assessment, being able to seek appropriate feedback actively in all areas of work in order to evaluate own performance and progress and thereby improve legal knowledge (application of the law), professional skills such as interviewing, presentation, negotiation, financial analysis and interpersonal skills such as effective communication, active listening etc; ensuring that neither the party giving nor the party receiving the</p>

		feedback merely pays lip-service to the process but also ensuring not only that the feedback is requested from the most appropriate people but that it is clear exactly what type of feedback is requested and to what depth; realising that failure to do so is likely to make the process far less beneficial; for example, family and friends will be less likely or able to give helpful feedback than the supervisor/manager or trusted peers.
	2.2 Identify and record development needs and specify priority areas for development	2.2 Being aware that it is critical first to work out and assess the current position before working out what development needs exist and only then assess what future needs might be and, as important, why such needs exist; then assessing objectively which needs are more important than others depending on the nature of the professional work carried out by the individual; thereafter preparing and agreeing a personal development plan, subject to available resources, of the training or development to be completed and the outcomes to be achieved.
	2.3 Evaluate methods of learning to suit own learning styles and job requirements	2.3 Appreciating that different people learn in different ways and assessing, first, which methods suit the individual i.e. whether the individual learning style favours e.g. the visual (pictures and diagrams), the written word, practical (learning by doing), verbal (explanation and demonstration) or reflective (careful thought to ensure understanding at each stage) and then ensuring as far as is possible within the organisation that the learning process is conducted in that best suited manner, trying to ensure as well that a balance of learning methods is achieved for maximum benefit within the

		parameters and confines of the needs and requirements of the job.
	2.4 Evaluate outcomes and benefits of learning undertaken	2.4 Assessing whether, in the light of the learning undertaken, the individual can now do the job better or undertake more complex tasks recognising that it is not easy to demonstrate objectively whether learning outcomes have been achieved and considering how that could be done, whether by test, report, presentation or training of others within the organisation or whether self-managed learning and assessment will be sufficient; knowing that, whichever might be the most appropriate, the process needs to be evaluated to consolidate the knowledge and to ascertain the next development stage.
	2.5 Apply new knowledge, skills and competence to improve own work role	2.5 Applying the new knowledge and skills to tasks which the individual could not have previously completed, but realising that mistakes can be made when applying untested knowledge and that any errors are not automatically to be considered a reflection on the learning process but rather part of it.

Additional information about the unit	
Unit aim(s)	This unit is about identifying, in consultation with others, the learner's own professional knowledge and skills, constructing a personal development plan and taking steps to maintain and develop own skills and knowledge, applying them to own job role.
Unit review date	29 th February 2016
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Services
Location of the unit within the subject/sector classification	15.5 Law and Legal Services
Name of the organisation submitting the unit	City and Guilds of London Institute
Availability for use	Shared
Availability for delivery	1 st September 2013

Title	Unit 16 Managing interviews with legal advice clients
Level	3
Credit value	3

Learning outcomes	Assessment criteria	Indicative content
The learner will:	The learner can:	
1 Understand the importance of developing and managing interviews with legal advice clients	1.1 Analyse the stages involved in developing and managing the interview with legal advice clients	1.1 Planning and preparing for the interview, e.g. reviewing any available information relevant to the case; confirming the interview time and venue with the client; managing and maintaining the interview so that it is structured, with stated objectives and outcomes; completing the interview; complying with legal and organisational procedures and meeting the client's expectations.
	1.2 Explain the environmental factors that can impact on the quality of the interview	1.2 The importance of environment in face to face interviews, less important for remote interviews; minimising interruptions e.g. diverting incoming calls; use of private room away from office space; turning off mobile phone; organising the space to welcome the client and maximise engagement.
	1.3 Explain why it is important to develop the interview with the legal advice client	1.3 Confirming the client's objectives; encouraging the client to contribute to the interview; using appropriate communication skills e.g. questioning skills, listening skills; checking client understanding; determining whether there is a need for immediate action e.g. if the client is about to be evicted or if a child protection issue

		is suspected; providing clear information to the client e.g. next steps; actions for clients; actions for organisation.
	1.4 Explain why it is important to manage the interview with the legal advice client	1.4 Managing client expectations; coping with inappropriate client behaviour e.g. aggressive or threatening behaviour; recognising the limits of own responsibility and knowledge and referring to an appropriate colleague/supervisor if necessary; summarising key information provided to check own and client's understanding; maintaining appropriate professional boundaries.
	1.5 Explain the organisational, legal and ethical requirements that impact on the interview process	1.5 The need to comply with all relevant national, local, professional and organisational requirements relating to equality of opportunity, discrimination, health and safety, safety and security of client and interviewer, client confidentiality and data protection; explaining when the law requires client confidentiality to be broken e.g. if a child protection issue is suspected; checking the capacity of the client e.g. when working with older clients who may be being influenced by a friend or relative; complying with the SRA Code of Conduct.
2 Be able to manage the interview with the legal advice client	2.1 Help the legal advice client to explore their problems and concerns	2.1 Providing the client with opportunities to contribute to the interview; using relevant communication skills e.g. listening and questioning skills; appropriate body language in face to face interviews, to encourage the client to explore problems and concerns.
	2.2 Establish that the client can access and is eligible for the services provided	2.2 Checking the client's capacity and capability e.g. do they have a communication difficulty; do they need additional support e.g. an interpreter; reviewing the service that can be provided against the needs and expectations of the client; referring to client to an

		alternative agency if appropriate; is there a need for an appropriate adult to be present if a child is being interviewed? Is the client being unduly influenced by someone else e.g. drafting a will for an older person? Determining whether the client is eligible for any financial support for their case.
	2.3 Use communication skills to encourage the client to contribute to the discussions	2.3 Important for both face to face and remote interviews. Using appropriate greetings to welcome the client; using appropriate questioning techniques for the situation e.g. open questions, probing questions, direct or closed questions; listening to the client courteously; checking client understanding; using appropriate body language in face to face interviews; avoiding the use of jargon terms as far as possible; using any aids to communication that will help the client interaction e.g. interpreters, hearing loops, electronic aids.
	2.4. Demonstrate how to maintain the interview with the client	2.4 This AC is about implementing the actions and considerations in ACs 2.1-2.3 and 2.5.
	2.5. Analyse how to sustain the interview with difficult or challenging clients	2.5 Assessing the client's behaviour e.g. for overt signs of anger or aggression; recognising when difficulties in communication may be because the client is afraid e.g. in family cases where domestic abuse may be suspected or where the complaint is about bullying at work; ensuring the client is aware of organisational policy relating to inappropriate behaviour; understanding and complying with organisational protocols for working with clients displaying inappropriate behaviour; ensuring that the safety and security of self, colleagues and clients is maintained at all times.
3 Be able to complete the interview with the legal advice client	3.1 Analyse why it is important to be able to end interviews with legal advice clients	3.1 The importance of clients understanding the limits and boundaries of the interview and the service that

		can be provided; the importance to the organisation in terms of time limits particularly for fee earners; terminating the interview in an appropriate manner, ensuring that all relevant business has been concluded and that as far as possible, the client's expectations have been met.
	3.2 Explain the steps to take when ending the interview	3.2 Ensuring that the client understands the outcomes of the interview and any agreed follow-up procedures; summarising key points and checking client understanding, e.g. any follow-up actions for the client and/or/the organisation; implementing any follow-up actions relating to the interview; recording the details of the interview using organisational procedures.
	3.3. Demonstrate how to complete the interview with the legal advice client	3.3 This AC is about implementing the actions outlined in AC 3.2.
	3.4 Use organisational procedures to record details and outcomes of the interview	3.4 Completing all required documentation relating to the interview fully and accurately e.g. attendance notes; any necessary legal documentation relative to the case; following all legal, ethical and organisational requirements for the recording and storage of client details.

Additional information about the unit	
Unit aim(s)	To enable learners to understand why it is important to develop and manage interviews with clients and the skills required to do so. Also to enable learners to practise the relevant communication skills required to manage a client interview successfully.
Unit review date	30 th September 2016
Details of the relationship between the unit and other standards or curricula (if appropriate)	N/A
Assessment requirements specified by a sector or regulatory body (if appropriate)	N/A
Endorsement of the unit by a sector or other appropriate body (if required)	Skills for Justice
Location of the unit within the subject/sector classification	15.5 Law and Legal Services
Name of the organisation submitting the unit	Skills for Justice
Availability for use	Shared
Availability for delivery	April 2013