



CILEx Level 3 Legal Services Competence Qualification

CILEx Level 3 Diploma in Providing Legal Services (603/0122/3)

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

UNIT SPECIFICATION HANDBOOK

Issued: August 2016

Introduction

This handbook contains the CILEx unit specifications. These units are the building blocks for the CILEx Level 3 Diploma in Providing Legal Services (603/0122/3).

This handbook should be read in conjunction with the **Qualification Handbook - CILEx Level 3 Legal Services Competence**, which sets out the requirements of the Level 3 Diploma in Providing Legal Services (603/0122/3).

Important:

This 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 previous 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 unit specifications for the previous Level 3 Competence qualification: CILEx Level 3 Diploma in Providing Legal Services (601/0275/5) can be found in the CILEx Level 3 Diploma in Providing Legal Services (601/0275/5) Unit Specification Handbook*

All units are mandatory within the qualification.

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. The level of each unit is set out in the table in section 3.1 of the qualification handbook.

Credit Value: each unit has a credit value. Please see section 3.2 of the qualification handbook for a definition of this value.

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 centres 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., unit aims, indicative review date, the unit’s relationship to other related standards/areas and guided learning hours for the unit.

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| Title: | Unit 1 Business structures and compliance with legal, ethical and regulatory requirements in the provision of legal services |
| Level: | 3 |
| Credit value: | 7 |

| Learning outcomes | Assessment criteria | Indicative content |
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| <i>The learner will:</i> | <i>The learner can:</i> | |
| 1. Understand the legal, ethical and regulatory requirements relating to the provision of legal services | 1.1. Identify the Codes of Conduct governing those providing legal services | 1.1. Identify the key regulatory requirements governing those providing legal services, including solicitors, barristers and chartered legal executives e.g. SRA Code of Conduct 2011. |
| | 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 1) the relevant Acts that apply to the legal services in own area of practice (the specific legislation will depend on area of practice) e.g. Proceeds of Crime Act 2002, Financial Services Act 2012, Financial Services and Markets Act 2000, Data Protection Act 1998, 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, Equality Act 2010; and 2) the secondary legislation e.g. Civil Procedure Rules, Criminal Procedure Rules and Family Procedure Rules, Money Laundering Regulations 2007. |

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| | <p>1.3. Explain the role of regulatory bodies in legal services</p> | <p>1.3. Explaining that there are separate independent regulatory bodies for each of the three legal professions engaged in legal services (solicitor, barrister and chartered legal executive), each authorised by the Legal Services Act 2007.</p> <p>Being able to list the three regulatory bodies and understanding that they enforce the code of conduct for the profession they represent which sets out rules regarding how the profession must provide its services and sanctions for when a breach of conduct occurs. Understanding that regulatory bodies are monitored by the Legal Services Board</p> |
| | <p>1.4. Explain the role of professional bodies in the legal sector</p> | <p>1.4. Explaining what professional bodies are and the types of activities they perform for their members. Identifying the key professional bodies in the legal sector and who they represent e.g. CILEx represent Chartered Legal Executives</p> |
| | <p>1.5. Explain the importance of Codes of Conduct in the legal sector</p> | <p>1.5. Explaining why a Code of Conduct is necessary and important including examples e.g. ensures; quality and standard of service to clients, organisations deal with complaints appropriately, regulatory body to take action if there is breach.</p> <p>Appreciates the difference between mandatory and non-mandatory provisions of a Code of Conduct.</p> |
| | <p>1.6. Identify the ten mandatory Principles set out in the SRA Code of Conduct 2011.</p> | <p>1.6. Identifying the ten fundamental ethical Principles.</p> |
| | <p>1.7. Explain the following professional duties;</p> <ul style="list-style-type: none"> • Maintaining utmost confidentiality | <p>1.7. Demonstrating an understanding of:</p> <ul style="list-style-type: none"> • The importance of maintaining confidentiality, • Avoiding a conflict of interest and complying with |

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| | <ul style="list-style-type: none"> • Avoiding a conflict of interest • Complying with Money Laundering Regulations | <p>Money Laundering Regulations in the context of working in the legal sector and providing examples of how these duties are maintained in practice in learner's own area of practice.</p> |
| | <p>1.8. Describe what is meant by an "undertaking"</p> | <p>1.8. Demonstrating an understanding of the nature and scope of a legal undertaking and being aware of how it can be 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.</p> |
| | <p>1.9. Explain the legal, organisational and ethical requirements for making and complying with formal "undertakings"</p> | <p>1.9. Being aware that an 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 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>2. Understand the business structures that operate within the legal services sector</p> | <p>2.1. Describe the different business structures that operate within the legal sector</p> | <p>2.1. Recognising that not all law firms are the same and there are different ways in which businesses providing legal services can be structured. Being able to describe the main business models used for legal services for example:</p> <ul style="list-style-type: none"> • Sole practitioner • Company • Partnership • Limited Liability Partnerships (LLP) |

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| | | <ul style="list-style-type: none"> • In-house teams (whether commercial, local authority or charitable/voluntary body) • Legal Disciplinary Practice • Alternative Business Structures |
| | 2.2. Explain the legislation that introduced alternative business structures to the legal sector | 2.2. Explaining the effect of The Legal Services Act 2007, in particular explaining: what an ABS is; how it allows non-lawyers to own and invest in law firms; the services it can offer; and how the Act enables new forms of legal practice to develop; Legal Disciplinary Practices. |
| | 2.3. Identify the business model that is used by own organisation | 2.3. Identifying one of the models described in IC 1.1 that corresponds to the model used in learners organisation or area of practice. |
| | 2.4. Describe the management structure in own area of practice | 2.4. Describing the hierarchy of the management structure in which the learner works. This should include the roles around allocation of work to the learner, in particular the learner should recognise the reporting lines in place in respect of their day to day work and supervision |
| | 2.5. Describe own organisation's social policy procedures | <p>2.5. Understanding the concept of corporate social responsibility (CSR) and its role in own organisation. Describing whether own organisation provides pro bono work (i.e. legal services free or at a reduced rate)</p> <p>For example:</p> <ul style="list-style-type: none"> • 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 |

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| | | organisation that carry out this work. |
| 3. Understand own organisation's procedures for complying with legal, ethical and regulatory requirements | 3.1. Explain how own organisation complies with requirements of SRA Code of Conduct | <p>3.1. Providing examples of how own organisation is compliant for example:</p> <ul style="list-style-type: none"> • Organisation's policy on referral of issues to compliance officer • Maintaining confidentiality • Money Laundering checks • Dealing with client money • Client conflict checks |
| | 3.2. Explain own organisation's procedures for identifying and reporting compliance failures | <p>3.2. Explaining the procedures to follow where a possible contravention of legal, organisational and regulatory requirements is identified for example:</p> <ul style="list-style-type: none"> • Is there a compliance/nominated officer? • How are failures recorded? • Are there risk management procedures in place and what are the main consequences of failure to comply with the requirements? (e.g. disciplinary action, complaint to Legal Ombudsman, bad publicity) |
| | 3.3. Explain the importance of working within own limits of responsibility and capability | <p>3.3. Explaining what own work/ responsibilities are in own practice area and explaining (with examples) when to refer matters to a supervisor or colleague and why this is important for the learner to do so:</p> <ul style="list-style-type: none"> • Prevents errors • Keeps supervisor/colleague aware of issues • Prevents escalation of problems • Avoids escalating costs • Prevents bad publicity through client complaints • Regulatory breach of SRA Code for failure to act in |

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| | | client's best interest and potential legal claims for negligence). |
| | 3.4. Describe risks to the individual and organisation as a result of a regulatory breach | <p>3.4. Describing what can happen both to an individual and the organisation employing that individual when there is a breach of the regulations, for example:</p> <ul style="list-style-type: none"> • Reprimand • Conditions attached to practising certificate • Disciplinary action • Fine • Compensation • Suspension from practice • Striking off intervention in organisation) <p>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).</p> |
| | 3.5 Explain the importance of maintaining professional boundaries with clients whether external or internal | <p>3.5. Explaining the risks if the professional boundary is breached for example:</p> <ul style="list-style-type: none"> • 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) |

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| 4. Be able to maintain a current understanding of legal, ethical and regulatory requirements in own area of practice | 4.1. Use sources of legal, organisational and regulatory information to check for changes | 4.1. Providing evidence of using relevant resources for legal, organisational and regulatory information to update knowledge and check for changes: <ul style="list-style-type: none"> • Use of management/senior colleagues within own organisation • On line legal service providers • Websites of Approved Regulators and providing examples of how to keep up to date (e.g. internal and external professional training, website alerts) |
| | 4.2. Seek clarification from the appropriate source where requirements are unclear | 4.2. Providing evidence of accessing appropriate sources for clarification of requirements for example: <ul style="list-style-type: none"> • Discussing with supervisor or senior colleagues • Accessing in house knowledge • Using specialist legal websites • Using a professional body help line) |
| 5. Be able to demonstrate compliance with legal, ethical, and regulatory requirements | 5.1. Follow legal, organisational and regulatory requirements when carrying out work activities under supervision | 5.1 Providing evidence of implementing the actions and considerations in IC 3.2 and 3.3 in relation to own work within own organisation. |
| | 5.2. Follow the appropriate ethical principles when working on client matters and when working with colleagues | 5.2 Providing evidence of implementing the actions and considerations in IC 1.5 1.6 and 1.7. |
| | 5.3. Maintain professional boundaries when working with clients | 5.3 Providing evidence of implementing the considerations in IC 3.5. Clients can be external clients or internal clients e.g. colleagues from another department for those working in in-house departments. |
| | 5.4. Follow regulatory and organisational procedures for the confidentiality of client information | 5.4 Providing evidence of implementing the considerations in IC 1.7 and 3.1. |

| Additional information about the unit | |
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| Unit aim(s) | This unit is about understanding and applying the principles of compliance with legal, ethical and regulatory requirements in own area of practice. Learners will also need to understand the different business structures that operate in the legal sector. |
| Unit indicative review date | 1 st September 2019 |
| Guided Learning Hours | 35 |
| 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 |
| Location of the unit within the subject/sector classification system | 15.5 Law and Legal Services |
| Unit Reference number | A/615/0346 |



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| Title: | Unit 2 Communicate effectively whilst maintaining the security of information |
| Level: | 3 |
| Credit value: | 3 |

| Learning outcomes | Assessment criteria | Indicative content |
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| <i>The learner will:</i> | <i>The learner can:</i> | |
| 1. Understand how to communicate effectively. | 1.1. Describe different types of communication | 1.1. Describing different types of communication that may be used in the legal sector (e.g. Oral face to face and written, with specific examples.) |
| | 1.2. Identify the legislation and regulatory requirements that govern communicating with people | 1.2. Identifying applicable legislation such as the Data Protection Act 1998, the Equality Act 2010 and the Computer Misuse Act 1990. The SRA Code of Conduct 2011 and CILEx Code of Conduct 2015. |
| | 1.3. Explain the features of effective communication | 1.3. Explaining what constitutes effective communication both orally and in writing, to ensure clear understanding at all times and comprehension by both parties. Recognising what effective communication means e.g. 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. |

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| | <p>1.4. Describe techniques for overcoming barriers to effective communication, (including those that are personal, environmental and social)</p> | <p>1.4. Recognising potential barriers to effective communication such as language or cultural differences and describing techniques for overcoming them for example:</p> <ul style="list-style-type: none"> • Considering if an interpreter is necessary • Considering the environment for discussions when working in the legal sector (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>1.5. Explain support available when experiencing difficulties in communicating</p> | <p>1.5. Recognising the different types of communication difficulties that can arise when working in the legal sector such as:</p> <ul style="list-style-type: none"> • Technical issues with email, fax, postal system • Misunderstanding with client or issues with colleagues • Understanding support available for different types of communication difficulties with reference to specific examples: • IT support for technical difficulties with computer system • Facilities for postal/dx issues |

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| | | <ul style="list-style-type: none"> • Supervisor or partner for client issues (for instance a partner, if client is unhappy with advice • If client needs an interpreter then you can ask your colleagues or supervisor if they know of any • Supervisor, department head, personnel for colleague issues. |
| 2. Understand how to maintain the security of information in communications with people | 2.1. Identify the legislation and regulatory requirements that apply to the security and management of information and confidentiality | 2.1. Identify the relevant legislative and regulatory requirements e.g. relevant sections of the Data Protection Act 1998 and the SRA Code of Conduct 2011 for professional obligations relating to the confidentiality of information received. |
| | 2.2. Explain the legal exceptions to maintaining client confidentiality | 2.2. 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. |
| | 2.3. Describe types of information that might be sensitive and/or confidential | 2.3. Identifying one of the models described in IC 1.1 that corresponds to the model used in learners' organisation/area of practice. |
| | 2.4. Describe the appropriate precautions to be taken when communicating confidential and/or sensitive information | 2.4. Describing how to follow protocols for confidentiality within the organisation: <ul style="list-style-type: none"> • Only discussing or communicating on a need to know basis, • Only disclosing what needs to be disclosed internally or externally, • 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 |

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| | | <p>key, password protection and/or other information barriers).</p> <ul style="list-style-type: none"> • Considering whether information has to be divulged at all and, if so, what precautions could be taken (obtaining an appropriate undertaking as to confidentiality from any third party) • 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.) |
| 3. Be able to communicate with people | 3.1. Use three different methods of communication which meet the different needs of people | <p>3.1. Providing evidence of implementing actions in IC 1.3 and 1.4 by using three different methods of communication meeting both physical needs such as hearing impairment and other needs such as availability, privacy and protection.</p> <p>Matching effective communication with needs of recipient:</p> <ul style="list-style-type: none"> • 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. Use different methods to reduce any barriers to effective communication | 3.2. Providing evidence of fostering an atmosphere of openness, trust and confidence and building appropriate professional relationships wherever possible so that belief and trust are maximised; using effective communication techniques such as active listening and open and closed questions as necessary in interviews and discussions. |
| | 3.3. Demonstrate precautions used when | 3.3. Providing evidence of Implementing actions in IC 2.4, |

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| | communicating sensitive and/or confidential information | being able to explain and state what precautions were taken are and why they were in place. |
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| Additional information about the unit | |
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| 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 whilst maintaining confidentiality. |
| Unit review date | 1 st September 2019 |
| Guided Learning Hours | 15 |
| 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 SFJ AB1 Communicate effectively with people. |
| Details of the relationship between the unit and other standards or curricula (if appropriate) | N/A |
| Location of the unit within the subject/sector classification system | 15.5 Law and Legal Services |
| Unit Reference number | J/615/0348 |

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| Title: | Unit 3 Draft legal documents |
| Level: | 3 |
| Credit value: | 5 |



| Learning outcomes | Assessment criteria | Indicative content |
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| <i>The learner will:</i> | <i>The learner can:</i> | |
| 1. Understand the principles and processes for drafting legal documents | 1.1. Describe the different types of legal documents to be drafted within own area of practice | 1.1. Demonstrating a good understanding of own area of practice and the documents involved throughout. Appreciating that different legal documents e.g. in conveyancing, 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. |
| | 1.2. Explain how to obtain appropriate templates for legal documents | 1.2. Explaining where to locate templates e.g. on firm's intranet or those stored on database, obtaining legal templates from departmental or organisation's document bank, or legal service companies such as PLC or LexisPSL, on-line etc. Demonstrating an understanding of the importance of ensuring that the template is relevant and is current and compliant. |

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| | <p>1.3. Explain how to identify relevant content to be used for drafting purposes</p> | <p>1.3. Recognising the importance of ensuring that the source of information is reliable otherwise may inherit mistakes.</p> <p>Understanding dangers of using content from old templates that may contain archaic language and not reflect current law or which may not make sense and/or be suitable for transaction. Appreciate the issues of using precedents e.g. if factual position is not the same as the template.</p> <p>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.</p> |
| | <p>1.4. Describe legal and organisational requirements for drafting legal documents</p> | <p>1.4. Understanding the legal and regulatory requirements that apply to legal documents such as:</p> <ul style="list-style-type: none"> • Court documents must comply with relevant Civil Procedure Rule provisions such as witness statements must contain a statement of truth; • Wills must contain an attestation clause and comply with s9 Wills Act 1837. <p>Describe the importance of following organisational requirements for house style of legal documents such as correct use of font, layout etc.</p> |
| | <p>1.5. Identify when it is acceptable to adapt templates for legal documents</p> | <p>1.5. Identifying when regulations/organisations allow adaptation of standard forms e.g. land registry accepts own organisation’s TR1 forms or the amendments an organisation allows to its precedents.</p> <p>Identifying that any modifications to content of legal</p> |

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| | | precedents meets with organisational, 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. |
| | 1.6. Describe the structure and content of legal documents in own area of practice | 1.6. Describing in more detail (as compared to IC 1.1) and by reference to examples the structure and content of legal documents drafted in own area of practice. This could include formatting, language and use of relevant precedent. |
| | 1.7. Explain how to correct different types of errors in legal documents | 1.7. 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 the 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 UK spellcheck to identify typos, proof reading to identify drafting errors etc. |
| 2. Be able to draft documents | 2.1. Identify the purpose, content and format details of the legal document | 2.1. Being able to correctly identify the purpose, content and format for the legal document being drafted 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. |

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| | 2.2. Obtain information from relevant sources to inform the content of the legal document | 2.2. Providing evidence of obtaining factual information from the client through reviewing the file and obtaining legal information from fee earners' knowledge, legal resources and document templates. Knowing what resources are available and how to access them. Implementing the actions and considerations in ICs 1.3-1.4. |
| | 2.3. Adapt template to suit the client's objectives and purpose of the matter | 2.3. Provide evidence of adapting the template to ensure that it is factually accurate and achieves its objectives. Implementing the actions and considerations in IC 1.5. |
| | 2.4. Review draft legal document to correct any errors | 2.4. Providing evidence of reviewing the draft document before passing it for review to identify errors with: <ul style="list-style-type: none"> • Spelling • Grammar • Punctuation • Inconsistencies and missing information Implementing the actions and considerations in IC 1.6 and 1.7. |
| | 2.5. Pass draft legal document for review | 2.5. Passing the draft legal document to supervisor or senior colleague for review and feedback. Highlighting any areas for particular attention e.g. lack of information to complete or area of law unclear. |

| Additional information about the unit | |
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| Unit aim(s) | This unit is about understanding the principles and processes of drafting legal documents and being able to draft legal documents. |
| Unit review date | 1 st September 2019 |
| Guided Learning Hours | 22 |
| Details of the relationship between the unit and relevant national occupational standards (if appropriate) | SFJ IC5 Draft legal documents |
| Details of the relationship between the unit and other standards or curricula (if appropriate) | N/A |
| Location of the unit within the subject/sector classification system | 15.5 Law and Legal Services |
| Unit Reference number | F/615/0350 |

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| Title: | Unit 4 Manage files for legal matters |
| Level: | 3 |
| Credit value: | 4 |



| Learning outcomes | Assessment criteria | Indicative content |
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| <i>The learner will:</i> | <i>The learner can:</i> | |
| 1. Understand the principles of legal management | 1.1. Explain the organisational and regulatory requirements for opening new files for legal matters | <p>1.1. Understanding that that there are a number of important requirements when new files are opened:</p> <ul style="list-style-type: none"> • 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 |

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| | | <ul style="list-style-type: none"> • 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) • That all files must be maintained in a filing system which is easily accessible and understandable by others |
| | 1.2. Describe the organisational and regulatory requirements for recording decisions about client instructions | 1.2. Understanding by way of example that 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 and understanding own organisation's internal policies about how such records and confirmation should be made. |
| | 1.3. Explain how to identify and address outstanding actions on legal files | <p>1.3. Understanding e.g. the requirement to ascertain 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.</p> <p>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; using electronic case management systems to flag all necessary actions on specific files and being fully conversant with how such systems operate if required to deal with that type of work or system.</p> |
| | 1.4. Explain the procedures for recording and filing the material in legal files | 1.4. Understanding that all information and documents have to be kept and maintained in a way that is readily accessible not only by the individual with day to day |

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| | | <p>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>1.5. Describe methods for dealing with different types of material contained in a legal file</p> | <p>1.5. Recognising that there are different types of material stored on behalf of a client such as original documents and electronic items.</p> <p>Describing the methods for dealing with materials e.g. some types of material 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;</p> <p>Understanding as well that some types of original documents, such as title deeds and wills, may also need to be stored in more secure and or fire-resistant storage for safety purposes and ensuring that back-up copies of electronically held documents are made but kept separately.</p> |
| | <p>1.6. Describe the features of legal files in relation to content and format</p> | <p>1.6. See also 1.1, 1.3, 1.6 and 1.7 above but, in addition, legal files must be neat and tidy, contain all the documents, papers and correspondence relevant to that</p> |

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| | | <p>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.</p> <p>With electronic files, ensuring confidentiality by password protection and screen savers as appropriate within the organisation.</p> |
| | <p>1.7. Describe the procedures for checking that relevant</p> <ul style="list-style-type: none"> • Documentation has been correctly completed | <p>1.7. Understanding that each organisation will have its own internal procedures and checklist for ensuring that documentation is correctly completed and describing these procedures as they apply to learner's own area of work (e.g. 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).</p> |
| <p>2. Be able to manage files for legal matters</p> | <p>2.1. Establish the current status of legal matters by referring to the correct legal files</p> | <p>2.1. See 1.1 to 1.3 and 1.6 to 1.7 above but providing examples of being able to establish the current status of a matter e.g. 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, the status of documentation and comments on a commercial 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</p> |

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| | | proper place within the filing and storage system. |
| | 2.2. Address issues arising with legal files in accordance with legal and organisational requirements | <p>2.2. 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. 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.</p> <p>Issues could include:</p> <ul style="list-style-type: none"> • Complaints from clients • Requests for information/documents from the other side • Missing documents • Inadvertently sending information to the wrong party • Conflicts arising following a conflict check |
| | 2.3. Accurately record and file all material relevant to the legal matter | 2.3. Complying with all the points in 1.6 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. Pass on information in accordance with legal and organisational requirements | 2.5. Ensuring that the correct information is passed to the appropriate person. Passing on information in accordance with data protection act and own organisations policy. |
| | 2.6. Organise files in a logical order taking into account organisational requirements | 2.6. Implementing ICs 1.1, 1.6, 1.7 and 1.8. |
| | 2.7. Follow organisational requirements for | 2.7. Implementing IC 1.7. Files may be stored by the |

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| | storing files | learner or passed on to the appropriate person. |
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| Additional information about the unit | |
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| 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 | 1 st September 2019 |
| Guided Learning Hours | 20 |
| Details of the relationship between the unit and relevant national occupational standards (if appropriate) | SFJIC6 Prepare and submit files for legal matters |
| Details of the relationship between the unit and other standards or curricula (if appropriate) | N/A |
| Location of the unit within the subject/sector classification system | 15.5 Law and Legal Services |
| Unit Reference number | J/615/0351 |



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| Title: | Unit 5 Plan and manage own workload |
| Level: | 3 |
| Credit value: | 3 |

| Learning outcomes | Assessment criteria | Indicative content |
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| <i>The learner will:</i> | <i>The learner can:</i> | |
| 1. Understand how to plan own workload | 1.1. Explain how to prioritise own workload | 1.1. Explaining what needs to be done and timescale available for example: <ul style="list-style-type: none"> • 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 |

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| | <p>1.2. Explain how to plan pieces of work according to their urgency and importance</p> | <p>1.2. Explaining what is urgent and important such as:</p> <ul style="list-style-type: none"> • 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 <p>Explain how to plan work e.g.</p> <ul style="list-style-type: none"> • 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. |
| | <p>1.3. Explain how to identify when meetings are necessary</p> | <p>1.3. Understanding 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.</p> <p>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).</p> <p>Meetings may also be necessary with other agencies e.g. in child protection cases.</p> |
| | <p>1.4. Clarify the purpose and value of planning own workload</p> | <p>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</p> |

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| | | 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. For example: <ul style="list-style-type: none"> • Promoting efficient and effective work practices • Minimising errors • Meeting deadlines • Providing a good service to client • Promoting own skills and potential to employer |
| | 1.6. Compare different methods of time and diary management | 1.6. Learner to compare different methods, for example: <ul style="list-style-type: none"> • 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. Describe how to select resources that are needed for own work | 2.1. Reviewing work to be done and where it is to be done for example: <ul style="list-style-type: none"> • 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 |

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| | | <ul style="list-style-type: none"> • 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. |
| | <p>2.2. Clarify the purpose and value of working according to the agreed timescales</p> | <p>2.2. Appreciating the importance of establishing timescales with client and other interested parties for example:</p> <ul style="list-style-type: none"> • 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) |
| | <p>2.3. Clarify the purpose and value of keeping records of own work</p> | <p>2.3. For example:</p> <ul style="list-style-type: none"> • Complying with legal and organisational procedures • Establishing a reference point e.g. attendance notes |

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| | | <ul style="list-style-type: none"> • 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 or agreed with clients. |
| | <p>2.4. Explain the purpose and value of keeping others updated with progress</p> | <p>2.4. Explaining the purpose and value of keeping others updated can include:</p> <ul style="list-style-type: none"> • 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. |
| | <p>2.5. Explain how to adapt and reprioritise work plans to reflect changes</p> | <p>2.5. Understanding the importance of organisation and efficiency:</p> <ul style="list-style-type: none"> • 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. <p>Explaining how to identify promptly when plans have changed:</p> |

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| | | <ul style="list-style-type: none"> • 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 |
| 3. Be able to plan own work | 3.1. Prioritise work according to its importance and urgency | 3.1. / 3.2. This LO is about implementing the processes and principles detailed in LO1 |
| | 3.2. Plan work in line with objectives and deadlines | |
| 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 and 4.6. 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. Adapt and re-prioritise work plans to reflect changing circumstances | |

| Additional information about the unit | |
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| Unit aim(s) | To encourage learners to plan and manage their workload in a legal environment. |
| Unit review date | 1 st September 2019 |
| Guided Learning Hours | 18 |
| Details of the relationship between the unit and relevant national occupational standards (if appropriate) | |
| Details of the relationship between the unit and other standards or curricula (if appropriate) | N/A |
| Location of the unit within the subject/sector classification system | 15.5 Law and Legal Services |
| Unit Reference number | D/615/0369 |



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| Title: | Unit 6 Conduct legal research |
| Level: | 3 |
| Credit value: | 5 |

| Learning outcomes | Assessment criteria | Indicative content |
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| <i>The learner will:</i> | <i>The learner can:</i> | |
| 1. Understand the principles and processes of legal research | 1.1. Describe the role of legal research in progressing a matter | 1.1. Understanding the importance of analysing factual situations in order to identify the objectives of any research before applying the law to the facts of the matter. Understanding the need to conduct timely and accurate research and to report the results in an appropriate and succinct way. |
| | 1.2. Describe the different resources available for researching legal information | 1.2. Distinguishing different resources including: <ul style="list-style-type: none"> • Primary sources of law or authority (e.g. statutes, regulations, court orders, court decisions) • Secondary sources (e.g. reference books, journals, commentaries, paper and electronic resources) • The collective knowledge and experience of the department/organisation Understanding how to locate them: <ul style="list-style-type: none"> • Hardcopy library of law reports or legal websites with search engines • Own organisation's knowledge management |

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| | | <p>systems or external legal databases such as LexisLibrary or Westlaw</p> <ul style="list-style-type: none"> • Discussing with colleagues who have dealt with similar issues in their cases, comparing the client's case to another similar case file |
| | 1.3. Explain how to access the different resources for legal information | <p>1.3. Explain how to locate statute, statutory instruments and case law.</p> <p>Understanding what (if anything) is available in hardcopy and whether it is up to date and explaining the best way of researching this resource.</p> <p>Understanding and explaining how to access and search external legal databases such as LexisLibrary or Westlaw.</p> <p>Using secondary materials such as commentary or reference books to help explain, analyse, and critique relevant law.</p> <p>Utilising in-house knowledge, either by way of in-house database or discuss with professional support lawyer or colleagues.</p> |
| | 1.4. Explain how to apply the findings of legal research to determine the information needed to progress a legal matter | <p>1.4. Explaining how to apply results of research to original question and explaining how to identify what, if any, further information is needed either (a) from client to progress matter, or (b) from further research to be able to provide client with clear and accurate advice.</p> |
| | 1.5. Explain how to use results of legal research in a way which explains options and solutions to the client or relevant parties | <p>1.5. Explaining how to use results of legal research to identify options and solutions and analyse the advantages and disadvantages of each option and solution whilst ensuring information and analysis is accurate, complete and responds to client's query. For example using headings, explaining relevance of cases and/or legislation, setting out connections and highlighting points of</p> |

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| | | distinction, and avoiding legal jargon. |
| 2. Be able to conduct legal research under supervision | 2.1. Agree with supervisor the scope of the legal research required | 2.1. Providing evidence to demonstrate an understanding of the question asked and the objectives of the research. |
| | 2.2. Locate information required to progress legal matters | 2.2. This AC is about implementing the actions and considerations in ICs 1.3 - 1.5. This should include locating at least one of the following sources: <ul style="list-style-type: none"> • Statutes • Statutory instruments • Case law |
| | 2.3. Apply the findings of legal research to the facts of a legal matter | 2.3. Application of the findings of legal research against the facts of the legal matter. Providing evidence that demonstrating an understanding of the relevance of the research information compared to the legal matter. This AC is about implementing the actions and considerations in IC 1.4. |
| | 2.4. Explain the results to a supervisor and agree recommendations | 2.4. This AC is about implementing the actions and considerations in IC 1.7 and 1.8 with supervisor rather than client. |
| | 2.5. Record research results in accordance with organisational and regulatory requirements | 2.5. Providing evidence of implementing this AC such as: <ul style="list-style-type: none"> • Opening hardcopy and/or electronic file in line with organisational procedure, • Recording information following house style (e.g. memo, report), • Storing information either in hardcopy or electronic form as required and easily identifiable (e.g. Saved |

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| | | under client matter or general research matter) in line with organisations file retention policy. |
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| Additional information about the unit | |
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| 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 | 1 st September 2019 |
| Guided Learning Hours | 25 |
| Details of the relationship between the unit and relevant national occupational standards (if appropriate) | SFJ IC4 Conduct and use research to progress legal matters |
| Details of the relationship between the unit and other standards or curricula (if appropriate) | N/A |
| Location of the unit within the subject/sector classification system | 15.5 Law and Legal Services |
| Unit Reference number | D/615/0355 |



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| Title: | Unit 7 Process clients instructions |
| Level: | 3 |
| Credit value: | 4 |

| Learning outcomes | Assessment criteria | Indicative content |
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| <i>The learner will:</i> | <i>The learner can:</i> | |
| 1. Understand how own organisation manages relationships with clients | 1.1. Describe the key responsibilities of the organisation and client in any transaction | 1.1. Recognising the key responsibilities in providing legal services in relation to the following: <ul style="list-style-type: none"> • 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 no conflict of interest either between external clients or between external client and solicitor (e.g. not taking instructions from anyone) |

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| | | <p>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)</p> <ul style="list-style-type: none"> • Complying with the Solicitors Accounts Rules; • Checking for money laundering and identity verification • Ensuring equality and diversity and health and safety within the organisation <p>Recognising the client’s responsibilities for example:</p> <ul style="list-style-type: none"> • 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 cases). |
| | <p>1.2. Describe the process of agreeing a contract with a client</p> | <p>1.2. For example:</p> <ul style="list-style-type: none"> • Taking initial personal details from client for contact purposes; establishing client’s objectives • 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 |

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| | | <p>client</p> <ul style="list-style-type: none"> • 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. |
| | <p>1.3. Explain the relevant statute and contractual obligations that apply between the organisation and the client</p> | <p>1.3. Explain key legal obligations under the Supply of Goods and Services Act 1982 for example:</p> <ul style="list-style-type: none"> • 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. |
| <p>2. Understand how to take client's instructions for legal work</p> | <p>2.1. Describe how client's instructions are obtained in order to identify the work required to progress legal matters</p> | <p>2.1. Describing how client's instructions are obtained in own area of practice in order to identify the work required. This will vary depending on the type of organisation and the client.</p> <p>For example:</p> <ul style="list-style-type: none"> • 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 and the most appropriate method of obtaining those instructions. |

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| | 2.2. Explain the roles and responsibilities of self and others in relation to taking a client's instructions | 2.2. Explaining the roles and responsibilities within own organisation of self and more senior members of staff in taking client instructions. |
| | 2.3. Explain the procedure for raising any issues or risks relating to work with the appropriate person | <p>2.3. Understanding the critical importance of this area:</p> <ul style="list-style-type: none"> • Being familiar with all the internal policies and necessary due diligence particularly 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 organisation to contact in the event of uncertainty and how • 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. |
| | 2.4. Explain how to record clients information and plan legal work | <p>2.4. For example this may include:</p> <ul style="list-style-type: none"> • 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 |

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| | | <p>work likely to be involved and the timescale, as in 2.1 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</p> <ul style="list-style-type: none"> • 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. |
| | <p>2.5. Summarise the purpose and required content of a client care letter in own area of practice</p> | <p>2.5. Understanding that SRA Code of Conduct 2011 sets out the information which must be communicated to the client in writing at the beginning of a matter. This includes the name and status of the person dealing with the matter, the supervisor, key facts and any advice given, next steps for the fee earner and the client, costs information, the complaints procedure and the client's right to complain to the Legal Ombudsman. A copy of the firm's standard terms and conditions should be provided and a signed copy kept on file.</p> <p>The emphasis is on the learner providing specific details for their area of practice.</p> |
| <p>3. Be able to process instructions and produce a draft client care letter</p> | <p>3.1. Review information on client file in order to determine the work required to progress the legal matter</p> | <p>3.1. Providing evidence of reviewing information as required by A.C 3.1. See 2.1 above but also:</p> <ul style="list-style-type: none"> • 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 |

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| | | <ul style="list-style-type: none"> • 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>3.2. Clarify own understanding of client's instructions with the appropriate person</p> | <p>3.2. Providing evidence of clarifying own understanding for example:</p> <ul style="list-style-type: none"> • 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 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; and with the appropriate person 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. |

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| | 3.3. Prepare a draft client care letter or letter of engagement for review | 3.3. See 2.5 above but, in addition, using the organisation's standard client care template or letter of engagement detailing: <ul style="list-style-type: none"> • Planned work • Estimated costs of the work and • Complaints procedures |
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| Additional information about the unit | |
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| 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. |
| Unit review date | 1 st September 2019 |
| Guided Learning Hours | 22 |
| Details of the relationship between the unit and relevant national occupational standards (if appropriate) | SFJ IC1 Plan, document and cost the legal work to be undertaken |
| Details of the relationship between the unit and other standards or curricula (if appropriate) | N/A |
| Location of the unit within the subject/sector classification system | 15.5 Law and Legal Services |
| Unit Reference number | M/615/0358 |



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| Title: | Unit 8 Apply relevant costs and billing requirements in relation to legal matters |
| Level: | 3 |
| Credit value: | 4 |

| Learning outcomes | Assessment criteria | Indicative content |
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| <i>The learner will:</i> | <i>The learner can:</i> | |
| 1. Understand the legal and regulatory requirements that impact on costs and billing | 1.1. Identify legal and regulatory requirements in relation to legal costs and billing | 1.1. Identifying and understanding the role of the Head of Finance and Administration (HOFA) and Compliance Officer for Finance and Administration (COFA); prevention of criminal activity e.g. anti-money laundering protocols; Bribery Act 2010, mortgage fraud; the fundamental principles of the Solicitors' Code of Conduct and the Solicitors' Accounts Rules, which are mandatory, with which financial management must strictly accord e.g. the overarching objective and underlying principles to keep client money safe; understanding contractual basis of the client retainer and consideration of requirements and application of Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013. |
| | 1.2. Describe the requirements for dealing with client money in accordance with legal and regulatory requirements | 1.2. Understanding what constitutes client money and the requirements for handling client money in accordance with the requirements at AC 1.1. generally and specifically the requirements of the Solicitors Accounts Rules e.g. describing the operation of office and client account to |

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| | | ensure desired outcomes are achieved and that clients and the public have confidence that client money held by firms will be safe; demonstrating same through application to practice area. |
| | 1.3. Outline the key impacts of failing to comply with legal, organisational, regulatory requirements when dealing with client money and billing | 1.3. Understanding that failure to comply with the requirements at AC1.1 and 1.2 is a breach of the professional Code of Conduct and the Accounts Rules which is likely to lead to professional disciplinary action and the potential to be removed from practice and to be liable to prosecution in certain circumstances; minor infringements may lead to internal organisational disciplinary proceedings; understanding wider implications for profession in bringing profession into disrepute with society; understanding that breach of contractual relationship provides a basis for a claim by the client against the firm. |
| | 1.4. Describe the importance to organisations of following requirements in relation to client money and potential money laundering issues | 1.4. Understanding the professional obligations of organisations to ensure compliance with the Code of Conduct and the Accounts Rules to guard against malpractice, fraud and theft; failure to do so will result in impacts outlined at AC1.3; organisation's principals having financial management responsibilities; importance of identifying errors and problems early on to allow for rectification to avoid non-compliance; demonstrating same through application to examples from practice area |
| 2. Understand the organisational requirements in relation to costs and billing for legal matters | 2.1. Describe the relevant costs and billing requirements within own area of practice | 2.1. Understanding and describing the requirements for managing costs and billing and their significance e.g. to ensure compliance with Code of Conduct and SRA Accounts Rules; understanding and describing organisation's detailed requirements for inclusion of charging practice in client care letter to comply with regulatory and legal requirements. |

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| | <p>2.2. Explain roles and responsibilities in relation to costs and billing requirements in own organisation</p> | <p>2.2. Understanding and explaining the importance of responsibility of billing clients in line with agreed practice and in line with own practice area including:</p> <ul style="list-style-type: none"> • Accurate and timely completion of time records to produce accurate billing guide avoiding discrepancies arising due to mismatched information from different sources e.g. paper file and recorded time records • Understanding organisational timescales for billing and the difference between interim and final bills and requirements for each 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 and any variance against costs estimates provided are reported within the organisational framework and communicated to the client • Understanding that the information recorded has several purposes e.g. ensuring that, by accurate costs recording, individual client matters are managed but also wider import of preparation of firm's annual profit and loss and balance sheet reports, budgeting for income, expenses and capital expenditure |
| | <p>2.3. Describe procedures used for assessing clients ability to pay for legal services in private practice</p> | <p>2.3. Understanding and describing need to ascertain client's objectives and scope of work to be undertaken, which impact on cost of legal services:</p> <ul style="list-style-type: none"> • How this information might be obtained • Considering range of funding generally and considering and explaining to client suitability of |

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| | | <p>funding options available, which is in their best interests and in accordance with their circumstances and their effect</p> <ul style="list-style-type: none"> • The need to ensure client is advised at the outset and throughout of the likely costs involved • Ensuring client is kept informed of any changes affecting costs of legal services and is in agreement to proceed e.g. ensuring always acting with client's instructions and avoiding issues as to conduct, breach of contract and regulatory requirements • Demonstrating same with reference to examples from practice area |
| | <p>2.4. Describe organisational procedures in relation to dealing with client money</p> | <p>2.4. Describing, with reference to examples, the procedures used by own organisation in relation to receipt and use of client money (where appropriate) and application of and compliance with Solicitors Accounts Rules (see AC 1.1) such as:</p> <ul style="list-style-type: none"> • 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 <p>Describing what money laundering is and what checks own organisation has in place to prevent money laundering e.g. identity checks, compliance officer.</p> <p>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> |

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| | <p>2.5. Explain organisational requirements for monitoring and recording costs and billing information in own area of practice</p> | <p>2.5. Explaining and demonstrating with reference to examples, the requirements in own area of practice e.g. for recording time and disbursements paid/to be paid.</p> <p>Based upon understanding of the purpose of billable time, and the need to record billable time separate from non-chargeable time; demonstrating understanding of billing information e.g. billing and disbursement guide; and monitoring of costs regularly to identify variances and any changes in client's circumstances affecting means to pay (see AC 2.2)</p> |
| | <p>2.6. Explain the method(s) of charging in relation to own area of practice in accordance with legal, organisational and regulatory requirements</p> | <p>2.6. Understanding the different charging methods for legal work in own area of practice; establishing, with reference to organisational requirements, options which may be offered or which may be available.</p> <ul style="list-style-type: none"> • Possibility of third party funding • Public funding • Union backing • Conditional Fee Agreements (CFA) • Damages-based agreements (DBA) • Insurance, private retainer (and the basis for charging practice e.g. hourly rates, fixed or capped fees) <p>Demonstrating application of understanding at AC 2.3 to make the most suitable arrangements for the client dependent on means to pay, client objectives and scope of work; explaining the importance of agreement and reducing agreement to contractual provisions.</p> |
| <p>3. Be able to demonstrate the application of costs and billing</p> | <p>3.1. Assess the costs relating to a legal matter in own area of practice</p> | <p>3.1. Demonstrating the accurate use and assessment of billing information, including records of disbursements paid, to calculate the cost relating to a particular matter</p> |

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| requirements | | <p>within own organisation for example:</p> <ul style="list-style-type: none"> • Identifying the appropriate fixed fee for a property transaction • Respond to a costs query from the client or to prepare an interim or final bill <p>Understanding importance of practicalities in accurate assessment e.g. ensuring client billed only for work done that is reasonable and necessary, within the agreed parameters and calculated with reference to the charging practice set out in the client care letter.</p> |
| | 3.2. Provide accurate information on billing requirements relating to a legal matter in own area of practice | 3.2. Showing understanding and application of the organisation's billing requirements to a particular case and explaining how the same complies with legal, organisational and regulatory requirements e.g. evidence of time recording, recording of disbursements, familiarity with contents of client care letter and billing guides |

| Additional information about the unit | |
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| 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 | 1 st September 2019 |
| Guided Learning Hours | 22 |
| Details of the relationship between the unit and relevant national occupational standards (if appropriate) | -- |
| Details of the relationship between the unit and other standards or curricula (if appropriate) | N/A |
| Location of the unit within the subject/sector classification system | 15.5 Law and Legal Services |
| Unit Reference number | M/615/0361 |



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| Title: | Unit 9 Contribute to effective team working |
| Level: | 3 |
| Credit value: | 3 |

| Learning outcomes | Assessment criteria | Indicative content |
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| <i>The learner will:</i> | <i>The learner can:</i> | |
| 1. Understand the principles that underpin effective team working | 1.1. Explain why effective team working is important | 1.1. Understanding the importance of an effective team: <ul style="list-style-type: none"> • Achieving business goals and contributing at all levels to enable a high standard of legal service • Being able to find 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 | 1.2. Understanding purpose of own role and recognise how it contributes to work of team and organisation e.g. legal research task may be in relation to a specific client |

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| | in the team and the wider organisation | <p>matter but if incorrect can affect work efficiency and reputation of supervisor and whole firm.</p> <p>Recognising limits of own role e.g. certain tasks to be carried out dependent on level of expertise and experience.</p> |
| | 1.3. Identify the factors that can contribute to effective team working | <p>1.3. Identifying appropriate factors such as:</p> <ul style="list-style-type: none"> • The right people are assigned the right parts of the project, generating trust amongst colleagues by good communication, meeting deadlines and producing good work • Encouraging team work • Respecting linguistic or cultural differences between team members. |
| | 1.4. Identify the factors that can hinder effective team working and ways of addressing them | <p>1.4. Identifying appropriate factors e.g. such factors are in large part the converse of 1.3 above e.g. placing own ambitions above teams.</p> <p>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.</p> |
| | 1.5. Explain why it is important to contribute to the review and evaluation of the team's work | <p>1.5. Understanding why it is important to review and evaluate the work of the team.</p> <p>Understanding how to contribute e.g. the importance of continually monitoring work and making changes and improvements based on feedback from everyone in the team.</p> |

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| | <p>1.6. Identify relevant legislation, organisational policies and procedures and explain the impact they have on team working</p> | <p>1.6. Being aware of legislation governing the workplace and recognising 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.</p> <p>Explaining how such legislation and internal policies have a great impact on working practices e.g. how colleagues should be treated, how tasks or projects should be addressed and implemented in line with health and safety requirements.</p> <p>Explaining 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. Provide evidence of organising workload in order to meet a team need/deadline.</p> |
| | <p>2.2. Use and maintain team resources efficiently and effectively</p> | <p>2.2. Provide evidence of using and maintaining team resources such as case management systems, templates or spreadsheets.</p> |
| | <p>2.3. Contribute to effective team working</p> | <p>2.3. Provide evidence of having contributed to effective team e.g. by communicating effectively, maintaining good working relationships, offering support, and/or dealing constructively with any issues that arise.</p> |
| <p>3. Be able to contribute to the development of team working</p> | <p>3.1. Identify constructive ways in which own work and that of the team can be improved</p> | <p>3.1. Provide evidence of having identified a way in which own work or that of the team can be improved in order to meet objectives such as meeting deadlines, saving costs or improving client care.</p> |

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| | 3.2. Seek appropriate support when unsure about how to improve own practice | 3.2. Seeking support in order to address an issue e.g. seeking support from a supervisor when a gap in knowledge or skills is identified. |
| | 3.3. Make agreed changes to own work in a constructive and timely manner | 3.3. Provide evidence of having made agreed changes to work in a constructive and timely manner. This may include implementing actions in IC 3.3. |

| Additional information about the unit | |
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| 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 | 1 st September 2019 |
| Guided Learning Hours | 18 |
| 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 |
| Location of the unit within the subject/sector classification system | 15.5 Law and Legal Services |
| Unit Reference number | T/615/0364 |

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| Title: | Unit 10 Maintain and develop own knowledge, skills and competence |
| Level: | 3 |
| Credit value: | 3 |

| Learning outcomes | Assessment criteria | Indicative content |
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| <i>The learner will:</i> | <i>The learner can:</i> | |
| 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. Explaining, for example, 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 obtaining feedback on own knowledge, skills and competence | 1.2. Recognising, for example, 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 |

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| | | <p>others</p> <p>Being aware that constructive feedback is a positive development tool; knowing that a request for feedback must be just that and not an underlying wish for approval of a particular piece of work.</p> |
| | 1.3. Describe how own work and progress are reviewed | <p>1.3. Describing, for own area of practice, how own work and progress are reviewed. This may include:</p> <ul style="list-style-type: none"> • Reviews carried out on a formal and informal basis by supervisor or manager and/or by colleagues on as many projects as possible • Constant, frank thought and self-review as to whether any specific learning outcomes have been achieved • Critical reading of own work; and/or comparing own earlier work and the work of peers. |
| | 1.4. Describe the different forms of support available for development needs | <p>1.4. Describing, for own area of practice, the different forms of support available. This may include, for example: support from supervisors, managers, peers and/ or more experienced colleagues, appreciating the 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> |
| | 1.5. Explain the importance of taking responsibility for own learning and development | <p>1.5. Understanding what learning and development is (e.g. a process of accumulating, and then applying, a range of knowledge and skills to given facts or situation) and explaining the importance of taking responsibility for it (e.g. aware that it is only the learner who can and must</p> |

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| | | <p>take ownership of this process).</p> <p>Recognising that some skills can be taught through demonstration and practice e.g. interviewing, legal research etc. but others have to be learned and understood such as legislation and case law.</p> <p>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> |
| 2. Be able to maintain and develop own knowledge, skills and competence | 2.1. Gather feedback in order to assess own knowledge, skills and competence | 2.1. Provide evidence of: seeking appropriate feedback in order to evaluate own performance and to progress and thereby improve legal knowledge and professional skills (e.g. interviewing, presentation, negotiation, financial analysis and interpersonal skills such as effective communication, active listening etc.). |
| | 2.2. Identify and record development needs and specify priority areas for development | 2.2. Provide evidence of identifying development needs and recording them in order to monitor development, for example in an appraisal or one to one session with supervisor. |
| | 2.3. Use appropriate methods of learning to suit own learning styles and job requirements | 2.3. Demonstrate self-knowledge of which methods suit the individual whether visual (pictures and diagrams), the written word, kinaesthetic (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 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. |

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| | 2.4. Evaluate outcomes and benefits of learning undertaken | 2.5. Provide evidence of learning undertaken and the outcomes and benefits of each. 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. |
| | 2.5. Apply new knowledge, skills and competence to improve own work role | 2.5. Provide evidence of applying new knowledge and skills to tasks which the individual could not have previously completed. |

| Additional information about the unit | |
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| 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 | 1 st September 2019 |
| Guided Learning Hours | 15 |
| Details of the relationship between the unit and relevant national occupational standards (if appropriate) | -- |

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| Details of the relationship between the unit and other standards or curricula (if appropriate) | N/A |
| Location of the unit within the subject/sector classification system | 15.5 Law and Legal Services |
| Unit Reference number | F/615/0364 |