



Training trainee solicitors

Guidelines on performance review and appraisals

**Education and Training Unit
Version 1**

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Introduction

Regular informal performance review and appraisals benefit the trainee and the training establishment. Setting up an effective review system does not need to be time consuming or complex, but it should comprise two elements: regular informal performance reviews and formal appraisals.

Informal review

Frequency

The trainee's supervisor should conduct regular informal reviews to consider the trainee's experience, needs, confidence, stage of training and complexity of work:

- **daily** – hands-on, morning and evening post review, dealing with any issues
- **weekly** – planning ahead, reviewing the past week, tidying up loose ends
- **monthly** – review of trainee's training record, reflecting on work done, skills used, developments, training needs

Content

The reviews need not be lengthy or recorded, but they should

- build rapport and a relationship between the supervisor and trainee
- give open and honest feedback in a relaxed and natural environment
- be two-way communication
- be structured but not official
- be task-oriented, considering
 - completed tasks
 - ongoing performance
 - progress
 - skills development
 - personal development
 - areas for improvement
 - what the trainee does well, and finds difficult, and why
 - training needs, such as coaching

Improving performance

Improving a trainee's performance should be task-oriented, involve coaching and help to identify the relevant issues and address them for themselves.

Supervisors should consider what

- the trainee needs to do to complete the task
- is the best way of doing the task
- is the next opportunity for the trainee to perform the task

Explain the task to the trainee, or arrange a training session to demonstrate how it should be done.

Give the trainee an opportunity to try.

Give feedback on the trainee's performance, and agree what needs to be done next.

Handling difficult issues

From time to time, supervisors may have to deal with difficult issues that need to be addressed as they arise and not left until the appraisal:

- outline the behaviour that is causing concern
- explain why it is causing difficulty
- establish the reasons for this, and make clear you understand the position
- ask the trainee for their suggestions to resolve the problem
- ask what you can do to help
- agree and confirm the action to take
- agree a date to follow up
- follow up

Formal appraisals

Appraisals should be documented and conducted by the training principal, the trainee's supervisor or both.

Benefits of appraisals

Benefits to the trainee:

- the trainee will understand work priorities and how they are progressing
- communication between the trainee and supervisor may be improved
- the trainee's future training needs will be identified
- the trainee may have an opportunity to understand their contribution to the success of the organisation
- the trainee will have an opportunity to raise any difficulties they have encountered in the training contract

Benefits for the organisation:

- training planning will be more effective
- results will improve
- trainee morale and motivation will improve
- trainee retention will be maintained and enhanced

Developing an appraisal system

To make sure that your appraisal system will be effective

- it should be understood by everyone involved – training principal, supervisors and trainees
- trainees should know what is expected of them in all areas of their work
- the appraiser should be clear about their role
 - give feedback
 - build on strengths
 - address weaknesses
- the appraiser should have the necessary skills or be given appropriate training for the role
- both parties should be honest and realistic in the appraisal
- the discussion should be a two-way process

Frequency

At least three formal appraisals must take place during the training contract – one in the first year, one in the second year, and one at the end of the contract.

However, the SRA recommends that appraisals take place at least every six months.

Preparation

Appraisals will probably be less relaxed than informal reviews. It is important that the appraiser and trainee spend some time preparing before the appraisal meeting.

The appraiser should

- consider the environment in which the appraisal is to be held, as the trainee may be apprehensive
- make and allocate sufficient time for the appraisal meeting
- make sure there are no interruptions.
- review past appraisals
- consider the trainee's current performance level
 - what the trainee does well
 - what the trainee finds difficult and why

The trainee should

- do a self assessment of their performance:
 - strengths and weaknesses
 - progress against objectives
 - self development
- think about the areas that need improvement and what they can do

Structure and content

The structure will be more formal than other progress reviews, and the content should be more process than task orientated.

The appraiser should

- review and give feedback on the trainee's performance and how they have measured up
- identify the trainee's strengths and weaknesses
- evaluate the training to date and identify the training needs
- look at career development and planning, where they are now, their long term prospects
- agree and set objectives
- summarise and write up the discussions

Appraisal Skills

Giving feedback

Giving feedback is an important aspect of informal and formal review. If feedback is given in the correct environment and manner, it will

- motivate the trainee
- improve the trainee's confidence
- help the trainee to develop more quickly

The key aspects of giving feedback are to

- be prepared
- be genuine
- be the owner
- be descriptive
- be constructive
- allow the trainee to respond
- use a model such as CRISP – the feedback sandwich – good + development + good. The CRISP model is shown below.

Create an effective environment

- choose the right time
- ensure feedback is given in private without interruptions
- have all your facts prepared
- be specific
- check your own manner and attitude

Invite self-assessment

- create trust
- be honest
- ask questions to raise awareness
- listen actively
- summarise non-judgementally
- don't interrupt
- agree your understanding with the trainee

Share observations

- offer observations
- be specific
- focus on the trainee's behaviour not personality
- explain the consequences of the behaviour

Plan the follow-up actions

- enable the trainee to take ownership
- offer your support
- discuss specific action(s) to take
- agree on the action(s) that will be taken
- set review and end dates
- follow up to ensure the action(s) have been taken

Evaluating training and identifying training needs

It is important to evaluate the practical and formal training the trainee has received to date; from this, you will be able to identify the trainee's future training needs.

Reviewing the trainee's training record should assist in this process, as you will be able to evaluate the type of work the trainee has been doing and the skills they have used.

To evaluate the training and identify the training needs, discuss with the trainee

- what they do well
- what they have difficulties with and why
- what critical things they avoid doing and why
- what type of work or task they think they could do better

In addition, you should

- agree the areas to be improved or developed
- agree the best way of addressing the training need, eg coaching, formal training, observation
- arrange for the training to take place
- review the effectiveness of the training by discussing with the trainee
 - what the key learning points were
 - what opportunities they have had to put the training into practice
 - what they have done differently and why
 - what areas need further development

Setting objectives

You may find it helpful to use the skills standards as a framework when setting objectives for trainees.

Objectives should be clear and **SMART**:

- **Specific** – referring to a particular piece of work or aspect of behaviour or performance
- **Measurable** – there should be measures for assessing progress and achievement that are agreed and understood
- **Agreed** – the objective should be agreed by the appraiser and the trainee
- **Realistic** – the objective should be challenging but not so demanding that that trainee is unlikely to achieve it
- **Timed** – there should be a date by which the objective should be achieved

Documentation

All appraisals should be recorded and signed by the appraiser and the trainee. The records do not need to be lengthy but should include

- a summary of the performance review, to include the trainee's achievements and areas in need of improvement
- the training needs and action plan
- new objectives and time scale for them to be achieved

You can download sample appraisal documents at www.sra.org.uk, which can either be used as they are or adapted to meet the needs of your organisation.