

Training trainee solicitors

Guidelines on monitoring of training contracts

Education and Training Unit
Version 1

Why monitor the training of trainee solicitors?

The time that trainee solicitors spend working in legal practice is a significant and important part of the overall training scheme. Organisations that are authorised as training establishments employing trainees and the Solicitors Regulation Authority are committed to ensuring that, during the training contract, high standards of training are maintained and developed. The monitoring scheme focuses on the overall training provision, identifying good practice and giving guidance and advice where improvements could be made. Many training establishments have found it a useful, constructive and positive exercise.

Selection for monitoring

When your organisation has been approved as a training establishment, it will, at a future time, be selected for monitoring. About half of the training establishments monitored each year are selected at random, and the remainder are selected for various reasons, including

- applications from the training establishment for training-regulation waivers
- referrals
- training establishments requiring trainees to opt out of the working-time directive

The monitoring process

There are two stages to the monitoring process. The first is the completion of questionnaires by the training principal and trainees, giving details of the training provision - including recruitment and induction procedures, the way the training is organised, and supervision and appraisal of the trainees. Trainees are also asked to provide a summary of their training record, giving details of the type of work they have been doing and the skills they have used.

On receipt of the completed questionnaires, the Solicitors Regulation Authority will usually arrange for a visit to take place by a training contract monitor. The task of the monitor is to assess the range and depth of the training provision, to identify areas of good practice and to give guidance on areas that could be improved. All of the monitors have significant experience of training and working with trainee solicitors.

The monitoring visit

Arranging a visit

When a monitoring visit is to be arranged, the Solicitors Regulation Authority contacts the training establishment with the monitor's details. The training establishment is asked to confirm that there is no conflict, for example, that the monitor is not known to the training principal or the trainees. Where there is a conflict, another monitor undertakes the visit.

When it has been established that there are no conflicts, the questionnaires are sent to the monitor; the information is used as the basis for meetings during the visit.

The monitor contacts the training principal directly to arrange a convenient time and date for the visit to take place, usually within three or four weeks.

To help the training establishment plan for the visit, and to minimise any disruption before the visit, the monitor gives the training principal details of

- the visit format
- approximately how long
 - the visit is likely to last in total (this is normally around four to five hours, but depends on the number of trainees)
 - the meeting with the training principal will last
 - the meetings with the trainees will last
- if there is more than one trainee,
 - the names of the trainees the monitor will talk to
 - the order in which they will be seen
- any other personnel involved in the training, such as supervisors, with whom they may wish to speak

The conduct of the visit

At the start of the visit, the monitor meets with the training principal to gain an understanding of the background of the organisation and the way in which the training is organised.

The monitor will then interview the trainee or trainees. The number of trainees interviewed depends on the number of trainees at the training establishment. The monitor may also interview supervisors and other personnel.

During the visit the monitor will review the following documents:

- offer letter
- equal opportunities policy
- training contracts
- training records
- time to count applications granted by the training establishment
- training plans
- appraisal documents

There is a follow up meeting with the training principal to discuss the monitor's findings, suggestions and/or recommendations.

The Solicitors Regulation Authority would be grateful if a room could be made available for the meetings and for the monitor to review the training documents.

Monitoring outcomes

The monitor's findings come under one or more of the following headings:

- **No concerns** – all of the required standards are being met or exceeded.
- **Suggestions for improvement** – training requirements are being met but some improvements could be made.
- **Recommendations and follow-up action** – not all of the requirements are being met, and recommendations are made to address the problems. The monitor will discuss an appropriate action plan with the training principal and a time-scale for implementing the recommendations, which might include submitting documentation to the Solicitors Regulation Authority.
- **Follow-up visit** – not all of the requirements are being met, and the monitor considers a further visit should take place to assess whether the recommendations have been implemented.

Following the visit

Following the visit, the monitor submits a report to the Solicitors Regulation Authority, summarising the discussions and giving an overview of the monitor's findings. A copy of the report is sent to the training principal, to the trainees interviewed and to any other personnel who have been interviewed. The training establishment is asked to confirm that any recommendations will be implemented.

The Solicitors Regulation Authority regularly reviews the monitoring procedures and documentation.

Feedback from training establishments on the process and how the system could be improved is welcomed.