Please note the following

The SRA Training Regulations changed on 1 July 2014.

If you commenced your training prior to 1 July 2014, and will be qualifying under the 2011 Training Regulations, this document still provides necessary guidance for you. Please read it carefully.

If you commenced your training on or after 1 July 2014, or if you commenced your training prior to 1 July 2014, but are intending to transfer over to the Training Regulations 2014, this document will not be relevant to you. Instead, you should refer to the relevant sections of the SRA website for a Period of recognised training.

There are a number of Questions & Answers for Trainees that will support those who will qualify under the Training Regulations 2014.
Status of this document........................................................................ 4

The purpose of the training contract ................................................... 4

  Key requirements ........................................................................ 4
  The training principal .................................................................. 5
  Becoming authorised .................................................................. 6

Recruiting trainees ........................................................................ 6

  Types of training contract .......................................................... 6
  Equal opportunities .................................................................... 7
  The Voluntary code for the good recruitment of trainees ............. 8
  Offering a training contract ...................................................... 8

Employing trainee solicitors .............................................................. 8

  Entering into a training contract ................................................. 8
  Registering a training contract .................................................. 9
  Recognising experience gained outside the training contract ....... 9
  The minimum salary .................................................................. 10
  Induction of trainees ................................................................ 10
  Absences during the training contract ........................................ 11
  Termination of a training contract ............................................ 11

Practical experience in law ............................................................... 12

  Secondments .......................................................................... 13
  The Professional Skills Course .................................................. 14
  Training contract record .......................................................... 14

Supervising trainees ....................................................................... 15

Performance review ........................................................................ 16

  Informal review ....................................................................... 16
  Appraisals ............................................................................... 16

Support services ............................................................................. 17

Trainee responsibilities ................................................................... 18

  Self-development ..................................................................... 18
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monitoring</td>
<td>19</td>
</tr>
<tr>
<td>Practice Skills Standards</td>
<td>19</td>
</tr>
<tr>
<td>Advocacy and oral presentation</td>
<td>20</td>
</tr>
<tr>
<td>Case and transaction management</td>
<td>21</td>
</tr>
<tr>
<td>Client care and practice support</td>
<td>21</td>
</tr>
<tr>
<td>Communication skills</td>
<td>22</td>
</tr>
<tr>
<td>Dispute resolution</td>
<td>22</td>
</tr>
<tr>
<td>Drafting</td>
<td>23</td>
</tr>
<tr>
<td>Interviewing and advising</td>
<td>24</td>
</tr>
<tr>
<td>Legal research</td>
<td>25</td>
</tr>
<tr>
<td>Negotiation</td>
<td>25</td>
</tr>
<tr>
<td>Contact information</td>
<td>26</td>
</tr>
</tbody>
</table>
Status of this document

This document is a narrative guide to the regulatory requirements contained within the SRA Training Regulations 2011, in particular Part 2 – Training Provider Regulations. The regulations form part of the SRA Handbook. Whenever significant changes are made to the regulations, this document will be updated to reflect them. However, in the event of any conflict between this document and the regulations, the regulations take precedence.

If you are or intend to become a trainee or a training establishment, you must comply with the relevant regulations.

Supplemental guidance and useful template documents are available here, and links appear throughout this document.

The purpose of the training contract

The training contract is intended to give trainees supervised experience in legal practice through which they can refine and develop their professional skills. It is the final stage of the process of qualification as a solicitor. Trainee solicitors gain practical experience in a legal environment such as a solicitor’s firm, a local authority or an in-house legal department.

Training future solicitors can be rewarding, generating long-term benefits for your organisation and the profession. But it takes time and resources to provide adequate training. If you are thinking of employing trainees, you should be sure that your organisation is able to provide the experience and supervision they need.

Key requirements

We require that trainees must:

1. be paid at least the prescribed minimum salary
2. gain practical experience in at least three distinct areas of English law, including opportunities to develop their skills in both contentious and non-contentious work. If your organisation cannot offer this range of experience, you must arrange for a secondment for the trainee to gain the relevant experience. Alternatively, you may wish to consider offering a modular training contract jointly with another organisation.
3. be given opportunities to develop the skills they will need in practice so as to meet the Practice Skills Standards
4. maintain a training record, linking the experience they have gained to the skills they have developed
5. be closely supervised by qualified solicitors or others with the appropriate experience in English law
6. receive regular feedback and appraisals throughout their training with at least three formal appraisals during the training contract

7. be allowed paid study-leave to attend courses we prescribe, such as the Professional Skills Course. The training establishment must pay the Professional Skills Course fees and any related expenses.

Once your organisation is authorised, it will be permitted to employ a maximum of two trainees for each partner or senior solicitor with a current and four previous consecutive practising certificates. Your organisation may also be monitored by us to ensure that the training it provides is of an appropriate quality and standard.

### The training principal

**Regulation 8 and regulation 15 of the Training Provider Regulations**

Your organisation must nominate a training principal who agrees to take overall responsibility for training, and who must:

1. be a solicitor of England and Wales with a current practising certificate,
2. have held immediately prior to the current certificate four previous consecutive practising certificates
3. be nominated by the training establishment for this role
4. be a partner, manager, director, owner, or have equivalent seniority and/or managerial status, and
5. have undertaken any training we may prescribe.

A solicitor who has been a [Registered European Lawyer](#) for a continuous period before admission can use each complete year of registration as the equivalent of having held one practising certificate. Government Legal Services solicitors with appropriate seniority, experience and training are exempt from the practising certificate requirements.

The training principal must fully understand the training requirements in the **SRA Training Regulations**. The training principal:

1. undertakes to us that the training establishments compliance with the regulations
2. liaises with us about the establishment’s trainees
3. advises us of any changes relevant to training, such as the name of his or her successor
4. ensures that
   a. anyone involved in the supervision of trainees has adequate legal knowledge and supervisory experience or training
   b. trainees maintain an adequate training contract record
c. trainees receive regular feedback and performance reviews including at least three appraisals during the training contract

d. there are suitable pastoral arrangements for trainees.

The training principal can delegate these responsibilities to others; if so, the trainee must be informed.

At the end of the training contract period, the training principal certifies that the trainee has met the required standards and that there are no issues which may affect the trainee’s character and suitability.

The training principal should be aware that all trainees are required to obtain a satisfactory criminal record check (standard disclosure) from the Disclosure and Barring Service (DBS, formerly called the Criminal Records Bureau (CRB)). A DBS standard disclosure includes details of any current and spent convictions, police cautions, reprimands and final warnings held on the Police National Computer. We may also make use of, or require individuals to provide, overseas criminal records information whenever appropriate. The trainee – not the training principal – is responsible for applying for the required DBS standard disclosure. We send trainee solicitors DBS check forms and guidance approximately 12 weeks before the scheduled end of their training contract.

Becoming authorised

Regulation 2 of the Training Provider Regulations

You should only recruit trainee solicitors after your organisation has been authorised as a training establishment.

If you wish to make an application for your firm to become an authorised training establishment, you should complete and return (with the authorisation fee) an application for authorisation to take trainees. To request an application form, please e-mail contactcentre@sra.org.uk.

Authorisation lasts for the lifetime of the organisation. However, we retain the right to apply conditions to any approval and, if we have serious concerns about the quality of training being provided, remove authorisation altogether.

Recruiting trainees

Recruiting the best trainees for your organisation is essential, and operating good recruitment processes will help you achieve this.

Types of training contract

Part 5 of the Qualification Regulations

You can offer three types of training contract, and you may want to consider which type of training contract will be of most benefit to your organisation and the trainee before you recruit trainees. The training contracts are...
1. the two-year full-time training contract, with the trainee working full time after satisfactory completion of the Legal Practice Course

2. the part-time training contract, with the trainee working part time for at least two and a half days per week, up to a maximum of four years, after satisfactory completion of the Legal Practice Course. The total length of time spent in the training contract depends on the usual number of days worked each week (not including overtime or weekend work). The full-time contract, in which the trainee works five days per week, is for two years (or 730 days). So, if the trainee works
   
   a. two and a half days per week, the period is four years (1,460 days)
   
   b. three days per week, the period is three years and four months (1,216 days)
   
   c. four days per week, the period is two years and six months (913 days)

3. the part-time-study training contract normally lasts between three and four years. The trainee works and, at the same time, studies
   
   a. the last two years of a part-time qualifying law degree (QLD)
   
   b. a part time Common Professional Examination (CPE), also known as the Graduate Diploma in Law (GDL) and/or
   
   c. the part-time Legal Practice Course.

The time spent in a part-time-study training contract counts at half time (i.e. two years in the part-time-study training contract counts as one year of the total training period).

A part-time study training contract is normally for two calendar years from the start date of the part-time course. However, trainees may commence a part-time study training contract part way through a course.

The options for part-time-study training contracts are as follows:

4. the final two years of a part-time QLD followed by a two-year part-time LPC

5. a two-year part-time CPE or GDL followed by a two-year part-time LPC

6. a two-year part-time LPC followed by one year in a full-time training contract

It is also possible to undertake a part-time LPC followed by a part-time training contract.

Equal opportunities

In recruiting trainees, your organisation must comply with equal opportunities legislation and the equality and diversity requirements in Chapter 2 of the SRA Handbook.
The Voluntary code to good practice in the recruitment of trainee solicitors operates for training establishments that recruit undergraduates two years in advance of the start of the training contract. If this applies to your organisation, and it is a signatory to the code, you can advertise the fact.

Offering a training contract

Regulation 4 of the Training Provider Regulations

You should send a successful candidate a letter of offer as soon as possible following your decision. The guidance note to Training Provider Regulations - regulation 4.1 sets out what these letters should contain.

Prospective trainees must be enrolled as a student with the SRA before commencing training. This is a prerequisite of a student commencing the Legal Practice Course and the training contract.

Normally we will not register a full-time or part-time training contract unless the trainee has already passed the LPC – however, there are certain programmes of study where it will be possible to register such a contract after the final assessments have been attempted but before the results are known. Please see regulation 20 of the SRA Training Regulations 2011 Part 1 - Qualification Regulations.

Employing trainee solicitors

Entering into a training contract

Regulation 4 of the Training Provider Regulations

When the trainee begins work, you must enter into the appropriate training contract and register it with us.

Each contract is in a standard form, and sets out the contractual obligations of the trainee and the training establishment. The contract cannot be amended without our prior approval.

Training establishments may wish to provide additional employment documentation, but if so, the terms of the training contract take precedence over any other conflicting terms of employment.

The law views the training contract and employment contract as the same, neither separate nor distinguishable. This means that a training contract cannot be brought to an end unilaterally by a training establishment; an application must be made to us to terminate, otherwise the training establishment may be in breach of contract.
Registering a training contract

Regulation 5 of the Training Provider Regulations

The training principal and the trainee must sign the training contract within three months of the trainee starting work. You must register the training contract with us within one month of it being signed. Failure to do so may result in a monitoring visit to the training establishment.

A copy of the contract does not need to be sent to us. You should complete and submit an application to register a training contract to us, along with the registration fee. To request an application form, e-mail contactcentre@sra.org.uk.

When the contract has been registered we will notify the trainee, confirming the expected end date of the training contract.

Recognising experience gained outside the training contract

Regulation 7 of the Training Provider Regulations

Some trainees may have worked in a legal environment and gained equivalent experience before starting a training contract. Your organisation can, at its discretion, recognise relevant prior experience and take this time into account to reduce the period of the training contract. This is known as ‘time to count’.

Time to count is granted on a like-for-like basis, from a minimum of one month (30 days) up to a maximum of six months (183 days). Part-time experience is calculated pro rata; for example a trainee who worked two and a half days per week for six months may be awarded a three month reduction to their training contract.

Trainees should make an application to the training principal using a time to count application form, available on the training contract guidance section of our website. It is entirely at your discretion whether to grant time to count. You must notify us of any time to count that you have granted. You can do this either on the form when you register the training contract or after registration by writing to us.

A separate application form should be completed for each organisation where the experience was gained, including yours if applicable, signed by the relevant supervisor. A copy of the Practice Skills Standards should be provided to the supervisor. Page 6 of the completed application form must be sent to us.

When considering such applications, the training principal should be satisfied that the experience gained meets the appropriate standards. Time to count can be granted where the experience:

1. was equivalent to that in a training contract
2. was in English law, and in one or more legal topics
3. was gained in the three years immediately preceding the training contract, and
4. allowed the acquisition of one or more of the Practice Skills Standards.

The trainee must have been:
1. adequately supervised
2. appraised, and
3. worked either full-time or not less than two and a half days per week (or the equivalent).

When considering a time to count application from a trainee who completed a sandwich placement during the academic stage of training, you should also take the following into account:

1. only placements at level 3 of the national qualifications framework or above should normally be considered
2. the placement should have been for at least three months
3. whether the placement was with an authorised training establishment
4. whether the trainee was paid a reasonable salary during the placement, taking account of the national minimum wage and the SRA minimum salary for trainees
5. whether the trainee satisfactorily completed the placement and was awarded the degree.

### The minimum salary

**Regulation 6 of the Training Provider Regulations**

Trainee solicitors should be paid at least a minimum salary as we prescribe. The salary levels are reviewed annually.

Current minimum salary levels, which came into effect on 1 August 2011, are

- £18,590 for trainees working in Central London
- £16,650 for trainees working elsewhere

In accordance with the standard training contract, these levels apply to all trainees. Current recommended salary levels are

- £19,040 for trainees working in Central London
- £16,940 for trainees working elsewhere

**Induction of trainees**

**Regulation 9 of the Training Provider Regulations**

At the beginning of the training contract, your organisation must provide an induction for all trainees, including those who have worked for you before in another capacity.

The induction is an opportunity to clarify the roles and responsibilities of those who will be involved in the trainee’s training, to familiarise the trainee with office
procedures, to introduce fellow staff members and to explain the nature of the work they will undertake.

You are free to organise the induction as best suits your organisation. It does not need to be formal or lengthy, but it should cover the areas listed in the guidance note to regulation 9 of the Training Provider Regulations.

Absences during the training contract

Regulation 13 of the Training Provider Regulations and regulation 25 of the Qualification Regulations

Trainees should receive paid annual leave in line with the Working Time Regulations. They are entitled to absences from work for attendance at all required elements of the PSC, training with the reserve forces, and any other reason required by law (including, but not limited to, long term illness, maternity/paternity or unpaid leave).

Up to 20 days of uncertificated sick leave is allowed under the Training Regulations. For periods of absence of over four months, the training contract must be extended. To request a training contract time-extension form, e-mail contactcentre@sra.org.uk.

Absences resulting from industrial action are treated in the same way as sick leave. Participation in industrial action does not, of itself, bring into question the suitability of the trainee to become a solicitor.

Termination of a training contract

Regulation 26 of the Qualification Regulations

From time to time, a trainee and their training establishment may wish to terminate a training contract. This can be done by means of

1. mutual agreement, completing an application to register the transfer/cancellation of a training contract; to request an application form, e-mail contactcentre@sra.org.uk. The training principal certifies that the trainee has satisfied the period of training, and is of suitable character to become a solicitor. Both parties sign to confirm their agreement to the cancellation. The completed form is sent to us

2. a cancellation clause, where the training contract is conditional on the trainee passing the CPE and/or the LPC and the trainee does not pass

3. an application to us by either party. This situation usually arises where there are training-related problems that cannot be resolved internally.

We encourage training principals and trainees to resolve issues internally – if at all possible. If this proves impossible, contact us.

Unless there are other justifiable reasons to do so, we will only terminate a training contract if:

1. the training contract is conditional on the trainee passing any of the academic stages of qualification or the LPC, and they do not pass
2. the trainee’s conduct is unacceptable
3. the trainee is incapable of meeting the Practice Skills Standards; or
4. the training establishment business closes or changes so much that it is not possible to properly train the trainee.

## Practical experience in law

### Regulation 6 of the Training Provider Regulations

Trainee solicitors must gain practical experience in at least three distinct areas of English law. These areas may include, but are not limited to:

<table>
<thead>
<tr>
<th>Administrative and Public Law</th>
<th>Fraud</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural Law</td>
<td>Immigration Law</td>
</tr>
<tr>
<td>Aviation Law</td>
<td>Insolvency and Bankruptcy</td>
</tr>
<tr>
<td>Banking Law</td>
<td>Insurance</td>
</tr>
<tr>
<td>Business Affairs</td>
<td>International Law (non-EC)</td>
</tr>
<tr>
<td>Chancery</td>
<td>Libel and Defamation</td>
</tr>
<tr>
<td>Charity Law</td>
<td>Liquor Licensing/Gaming</td>
</tr>
<tr>
<td>Children Law</td>
<td>Landlord and Tenant - Residential</td>
</tr>
<tr>
<td>Insurance and Reinsurance</td>
<td>Maritime/Shipping/Admiralty</td>
</tr>
<tr>
<td>Civil Liberties/Human Rights</td>
<td>Mediation - Civil/Commercial</td>
</tr>
<tr>
<td>Commercial Law</td>
<td>Mediation – Family</td>
</tr>
<tr>
<td>Commercial Property</td>
<td>Medical Negligence</td>
</tr>
<tr>
<td>Company Law</td>
<td>Mental Health</td>
</tr>
<tr>
<td>Computer and IT Law</td>
<td>Mergers and Acquisitions</td>
</tr>
<tr>
<td>Construction/Civil Engineering</td>
<td>Military Law</td>
</tr>
<tr>
<td>Consumer Problems</td>
<td>Neighbour Disputes</td>
</tr>
<tr>
<td>Conveyancing – Residential</td>
<td>Other</td>
</tr>
<tr>
<td>Corporate Finance</td>
<td>Pension Law</td>
</tr>
<tr>
<td>Crime – General, Motoring, Juvenile</td>
<td>Personal Injury</td>
</tr>
<tr>
<td>Debt and Money Advice</td>
<td>Planning Law</td>
</tr>
<tr>
<td>Education Law</td>
<td>Professional Negligence</td>
</tr>
<tr>
<td>Employment</td>
<td>Taxation</td>
</tr>
<tr>
<td>Energy and Natural Resources</td>
<td>Transport - Road and Rail</td>
</tr>
<tr>
<td>Environmental Law</td>
<td>Travel and Tourism</td>
</tr>
<tr>
<td>European Community Law</td>
<td>Trust</td>
</tr>
<tr>
<td>Family</td>
<td>Welfare Benefits</td>
</tr>
</tbody>
</table>
Trainees must also have opportunities to develop their skills in contentious and non-contentious work – as specified in the [Practice Skills Standards](#).

Training may be organised in one of two ways

1. the trainee works in at least three distinct departments or ‘seats,’ spending a specified period (usually about six months) in each
2. the trainee works in various areas of law on a day-to-day basis, in line with the type of work available

However the training is organised, it is essential that

1. enough time is spent in each area for the trainee to be trained properly in it. Although we do not specify the amount of time this would take, it anticipates that it could not be achieved in less than the equivalent of three months during the training period
2. the trainee is guided and tutored in professional conduct, ethics and client care
3. the level and complexity of the trainee’s work is increased gradually during the training period
4. the trainee is supervised properly and their performance reviewed and appraised regularly
5. each trainee maintains their own training record, keeping track of the work they have done and the skills they have used.

### Secondments

**Regulation 11 of the Training Provider Regulations**

If your organisation cannot provide trainees with experience in three separate areas of law, or experience in the range of contentious and non-contentious work required by the skills standards, you must arrange for the trainee to be seconded. Secondments can also be arranged where your organisation can provide the required range of experience.

In either case, when arranging a secondment, you must ensure that the trainee will be

1. adequately supervised
2. appraised regularly
3. given training in English law.

Secondments do not have to be approved by the SRA.

Another option for organisations who cannot offer a full range of experience to their trainees on their own is to group together with one or more firms in a consortium, in
order to offer ‘modular’ training contracts – [download our guidelines here](#)

**The Professional Skills Course**

**Regulation 29 of the Qualification Regulations**

Trainees must attend and successfully complete the Professional Skills Course (PSC) during the training contract. The course is offered by authorised providers, on an external or in-house basis. The PSC guidelines give full details of the course content and the authorisation requirements.

**Training contract record**

**Regulation 6 of the Training Provider Regulations**

Training principals must ensure that trainees maintain an adequate record of their training throughout the period of the training contract. It is used to record the experience that the trainee is getting and the skills that the trainee is developing. The trainee should enter information into the training record at frequent intervals. By the end of the training contract, the record should show that the trainee has good experience in at least three distinct practice areas and has met the Practice Skills Standards.

The trainee should use the preparation and review of the training record as an opportunity to reflect on what they have learnt and where there may be gaps in their experience and skills.

We do not prescribe the format of the training record, but we recommend that the record includes:

1. details of work performed
2. skills used (with reference to the Practice Skills Standards)
3. the trainee’s observations or reflections on their performance
4. any other training or professional development
5. any professional conduct issues that may have arisen

Download a sample training contract record form.

Supervisors will find it helpful to review the training record regularly, to ensure that the trainee is undertaking work of a breadth and depth sufficient to meet the requirements. The training record also can be used as part of appraisal and performance review.
Supervising trainees

Regulation 16 of the Training Provider Regulations

Most organisations employ trainees anticipating that they will contribute to the future development of the business. Good training demands significant time and resources, and good supervision is vital to ensure that trainees make a worthwhile contribution during their training and remain motivated and committed to your organisation.

The supervisor’s role in training should not be underestimated; they are responsible for providing practical day-to-day training and for giving trainees appropriate opportunities to develop their legal skills and knowledge. Their full responsibilities, and the individuals who can fulfil supervision roles, are set out within regulation 16 of the Training Provider Regulations.

On a day-to-day basis, and throughout the training contract, trainees may be supervised by a number of different people within your organisation – including partners, solicitors or experienced legal executives. The training principal must ensure that anyone who supervises trainees has the appropriate legal knowledge and supervisory experience or training to perform the role effectively. Supervisors must be allocated adequate time and resources, and they must demonstrate a sound understanding both of the training requirements and of all that is expected of them as supervisors.

Typical supervisors’ responsibilities are to

1. allocate work and tasks of an appropriate level, gradually increasing the level and the complexity of the work over time, while encouraging the trainee to suggest solutions independently

2. provide a balance between substantive and procedural tasks that – as a whole – demands the use of a broad range of skills

3. provide clear instructions and ensure that they have been understood

4. offer advice and guidance on appropriate research methods and materials along with sufficient information and factual background about a case or matter

5. set a realistic time-scale for work to be completed and answer questions as they arise, within a supportive environment that does not deter the trainee from asking questions in the future

6. monitor the trainee’s workload to ensure they have a sufficient but not excessive amount of work

7. ensure that the trainee maintains an up-to-date training record that identifies the work they have performed and the skills they have deployed

8. review the training contract record regularly to ensure that an appropriate balance of work and skills is struck

9. give regular feedback to the trainee regarding their performance, recognising achievements and improvements, and constructively addressing areas that require further effort
10. conduct or participate in formal appraisals of the trainee

11. provide an environment that encourages the trainee to take responsibility for their own development

Information on the type of work that can be given to trainees to help them develop their skills is included in the Practice Skills Standards.

---

**Performance review**

**Regulation 15 of the Training Provider Regulations**

At the end of the training contract, the training principal certifies the training, and he or she must be satisfied that the trainee has received appropriate training and has achieved the required skills.

For training principals to be sure of this, and for trainees to learn from their experience in practice, develop their skills, and improve their performance, trainees require feedback on the tasks they have performed.

Trainees should get feedback on a day-to-day basis and through regular informal progress reviews and appraisals.

---

**Informal review**

An important part of measuring and ensuring that the appropriate standards are being achieved and developed is regular review of the trainee’s performance.

There should be frequent, informal reviews of the trainee’s training record. We recommend an informal performance review about once per month. This will help supervisors and trainees to

1. review progress toward agreed objectives
2. deal with any difficulties close to the event
3. compare the breadth and depth of work being performed by the trainee with requirements of the Practice Skills Standards
4. address any professional conduct or ethics issues that may have arisen
5. discuss future training.

---

**Appraisals**

**Regulation 10 of the Training Provider Regulations**

The purpose of a formal appraisal is to review the trainee’s overall performance, assess the development of their skills, identify areas of strength and weakness, agree new objectives and plan future training. The appraisal should not include any surprises, because problems should always be dealt with as they arise.
A minimum of three formal appraisals should be conducted during the two-year training contract: one in the first year, one in the second year, and one at the end. However, we recommend that trainees be appraised formally every six months.

The appraisal must be conducted face to face, and the discussions must be recorded and documented. During the discussion, the trainee should have an opportunity to ask questions and to raise any concerns they may have.

We do not prescribe the form of the appraisal documentation. However, sample appraisal documentation is available, and can be used unaltered or adapted to suit your requirements. Download Training trainee solicitors: Performance and development review (sample appraisal form).

Support services

Your organisation should have adequate support arrangements for trainees including:

1. a desk for the trainee’s own work
2. appropriate secretarial support
3. access to library and relevant research facilities.
Trainee responsibilities

Training is not a one-way process; trainees have responsibilities and obligations under the training contract and Training Regulations. Trainees must ensure that they understand their duties under the training contract, that they are familiar with the training requirements and that they know what they are expected to achieve during the training.

Trainees must ensure that

1. they maintain an up-to-date training record of the work they have done linked to the skills standards. The training provider may prescribe the training record format; if it does not, trainees can download and use our sample training contract record.

2. they take responsibility for their own self-development (completing and reviewing their training record, and reflecting on their experiences and what they have learnt are important aspects of this)

3. they develop good working practices by managing their time, effort and resources effectively

4. they raise any concerns with the training principal (for example, if they are not being given training in three areas of law, or are not given a mix of contentious and non-contentious work, or are not covering the Practice Skills Standards)

5. if they are unsure about the work or tasks they have been asked to do, they ask their supervisor for clarification

6. they let their supervisor know if they are given too much or too little work or if the work given is too challenging, not challenging enough or not varied

7. if they make a mistake, they inform their supervisor or training principal as soon as possible

8. they are open and honest when given feedback on their work and during performance reviews

9. they have satisfactorily complete the Professional Skills Course before the end of their training contract and before they apply for admission to the roll of solicitors.

Self-development

Trainee solicitors should enjoy their training, do whatever they can to develop their skills, and take responsibility for their self-development.

Trainees should

1. plan their own programme of development, which could include, for example, ways in which they can achieve the Practice Skills Standards
2. read and research journals and keep up to date with new statutes and regulations

3. build up a personal file, which could include their training record, precedents and reflections on what they have learnt

4. conduct self-appraisals, thinking about their strengths and weaknesses, and ways in which they can develop strengths and eliminate weaknesses. They can then discuss this with their supervisor at performance reviews

5. develop their social and interpersonal skills

6. suggest solutions to problems, even if they are not certain that they are correct

7. if they make a mistake, admit it, and face up to any consequences.

---

**Monitoring**

**Regulation 14 of the Training Provider Regulations**

We monitor training establishments to ensure that they are providing adequate training.

We recognise that organisations invest significant time and resources in training. The purpose of the monitoring scheme is to identify and recognise best practice and, where necessary, to provide guidance and advice on training improvements. The current monitoring scheme was launched in 2000; many organisations that have been monitored have found the exercise constructive and useful.

The first stage of the monitoring process is for training principals and trainees to complete questionnaires detailing how the training requirements are being satisfied.

We might then select the organisation for a monitoring visit. A qualified solicitor with experience of training and the training requirements undertakes the visit. During the visit, the monitor discusses the training provision with the training principal and trainees and sometimes with others involved in training. At the end of the visit, the monitor meets with the training principal to discuss areas of best practice and to agree any actions that may be needed for improvement.

A monitoring report is sent after the visit to the training principal and the trainees interviewed.

---

**Practice Skills Standards**

**Regulation 6.1 of the Training Provider Regulations**

During the training contract, trainee solicitors develop and apply the practice skills they will use as qualified solicitors.

The key elements of each skill – and the type of experience that will help trainees to develop it – are specified in the Practice Skills Standards.
Trainees develop the skills through a mixture of the following activities

1. completing work and tasks by themselves
2. assisting others
3. observing experienced practitioners.

Supervisors must ensure that, over the course of their training, the amount and type of work given to trainees adequately covers each skill and is of an appropriate level and complexity for the trainee in question.

**Advocacy and oral presentation**

On completing the training contract, trainee solicitors should be competent to exercise the rights of audience available to solicitors on admission.

Their experience will enable them to understand

1. the communication skills of the advocate
2. the techniques and tactics of examination, cross-examination and re-examination
3. the need to act in accordance with the ethics, etiquette and conventions of the professional advocate.

The tasks trainees perform must enable them to grasp the principal skills required to prepare, conduct and present a case:

1. identifying the client’s goals
2. identifying and analysing relevant factual and legal issues, and relating them to one another
3. summarising the strengths and weaknesses of the case
4. planning how to present the case
5. outlining the facts in simple narrative form
6. formulating a coherent submission based on the facts, general principles and legal authority in a structured, concise and persuasive manner.

The following activities are likely to foster these skills:

1. helping to advise on pre-trial procedures
2. helping to prepare cases before trial
3. with one or more lawyers, attending the magistrates’ courts to observe trials, bail applications, pleas of mitigation or committal, and observing submissions in chambers, examination, cross examination and re-examination in open court
4. observing proceedings in family cases, industrial tribunals, planning tribunals or other tribunals or forms of dispute resolution
5. as training progresses, and under appropriate supervision, conducting interim applications before a Master or District Judge
6. becoming involved in presentations for clients or in preparing or delivering in-house training.

### Case and transaction management

Trainee solicitors must begin to acquire skills in managing and running a case or transaction.

Trainees must be given work to enable them to understand the importance of

1. producing a schedule for a case/transaction, broken up – where necessary – into phases
2. planning out phases of work to include time, cost and risk management
3. developing techniques to diarise, follow up and revisit matters at the appropriate time
4. keeping accurate records and attendance notes
5. effectively managing files
6. regularly and fully reporting back to clients
7. co-ordinating teams to review progress and revise options
8. bringing matters to a timely, client-satisfactory conclusion
9. wrapping up the matter, closing the file, and recovering costs and disbursements.

To develop these skills, trainees should work on larger cases or transactions as members of a team, or they should be given smaller transactions to run themselves, under close supervision.

### Client care and practice support

To enable trainees to work effectively in an efficient practice, they must develop the skills required to manage time, effort and resources.

They should be given work that will enable them to

1. prioritise tasks
2. set and meet deadlines
3. review and report progress on matters
4. balance immediate and long-term objectives
5. keep appropriate records
6. understand the processes of setting fees and billing clients.
Activities that will help them to achieve this include

1. planning work by the use of their diaries
2. using email, word-processing, scheduling and organisational systems regularly and appropriately
3. working effectively with support staff
4. recording expenses and disbursements and obtaining reimbursement
5. opening and closing files.

Trainees should develop good working habits, and supervisors should check this regularly.

### Communication skills

Trainees should understand the need to refine their communication skills so that they can present oral and written communication in a way that achieves its purpose and is appropriate to the recipient.

They should be given work that will help them to

1. select appropriate methods of communication  
2. express ideas concisely, clearly and logically  
3. use appropriate language  
4. use correct grammar, syntax and punctuation  
5. pay attention to detail by proof-reading, checking the format and numbering of documents, cross-referencing and using consistent terminology  
6. listen actively and speak effectively

Trainees can develop these skills by

1. drafting letters, internal notes and memos  
2. reporting to clients and others by telephone  
3. taking notes in meetings  
4. dictating notes and letters

The importance of keeping clients regularly informed of the progress of a matter and the client care outcomes in [Chapter 1 of the SRA Code of Conduct](#) should be emphasised to trainees. Trainees should be given regular advice, guidance and feedback on their performance.

### Dispute resolution

Trainees should become familiar with contentious work and gain a full understanding of the skills and practice of resolving disputes, including settling, mediation and adjudication, in a fair, cost-effective and timely way that meets client needs.
Trainees should be given opportunities to observe and/or assist in resolving disputes so that they will understand the need to

1. take careful instructions
2. identify the client’s purpose and advise on the possible outcomes and costs
3. thoroughly research the parties’ liabilities
4. gather evidence from witnesses or elsewhere
5. consider all the options for resolving a dispute
6. meet deadlines and keep clients informed of progress
7. draft or prepare papers to assist in resolving a contentious matter
8. control information central to the dispute throughout the proceeding
9. represent the client and the client’s interests through meetings, conferences and hearings
10. ensure that settlements and judgements are secure and enforceable

Trainees can develop these skills by attending tribunal hearings or ADR meetings, observing proceedings and assisting with the preparation of cases.

Supervisors should explain how the work the trainee undertakes fits into the strategies pursued in a case and into the context of litigation as a whole. Trainees should be given feedback on work they have done and should be offered a perspective on the significance of their work to the case as a whole.

**Drafting**

Trainees should recognise the need for and be able to produce documents that are clear, precise and achieve their purpose.

They should be given work that enables them to

1. maintain a standard of care that protects client interests and meets client objectives
2. address all relevant and factual legal issues
3. identify relevant options
4. demonstrate a critical use of standard forms and precedents
5. draft documents that
   a. are consistent and coherent
   b. are clear and precise
   c. meet any requirements of form and style

Trainees can develop these skills by drafting

1. witness statements and affidavits
2. corporate resolutions
3. wills and trust deeds
4. statements of case
5. transfer of property documents
6. leases
7. instructions to counsel
8. contracts.

The complexity of trainees’ work should be increased incrementally, and they should be given opportunities to amend drafts of documents received from the other side and to practise using standard forms and precedents.

**Interviewing and advising**

Trainees should understand the importance of identifying the client’s goals along with the need to take accurate instructions. They should be given opportunities to observe and to conduct interviews with clients, experts, witnesses and others.

They should be given work that helps them understand the need to

1. prepare for an interview
2. allow clients or professional advisers to explain their concerns
3. identify the client’s goals and priorities
4. use appropriate questioning techniques
5. determine what further information is required
6. identify possible courses of action and their consequences
7. help the client decide the best course of action
8. agree the action to be taken
9. accurately record the interview, confirming the instructions and the action that needs to be taken
10. establish a professional relationship with the client, and deal with any ethical problems that may arise.

Trainees can develop these skills by observing and taking notes of meetings and interviews, whether face to face or on the telephone.

The purpose of a meeting should be explained to the trainee, and the conduct of the meeting should be reviewed with them afterwards. Where a trainee is conducting an interview, the supervisor should carefully monitor any advice given by the trainee during the meeting, and give guidance and feedback on the trainee’s performance after the meeting.
Trainees should learn to find solutions by investigating the factual and legal issues, analysing problems and communicating the results of their research.

They should be given work that makes use of traditional and computerised research tools and sources, business information and other relevant sources.

Trainees could be required to

1. research specific legal issues and factual, historical or commercial matters
2. prepare for client interviews
3. analyse corporate searches
4. investigate title to property and other relevant searches
5. review title documents and clients’ papers
6. assist with due diligence enquiries.

The person allocating the work should give the trainee

1. background information on the context and purpose of the research
2. clear instructions
3. defined tasks
4. information about any limitations to be imposed on their research
5. guidance on where to begin.

Trainees must also be given guidance and feedback on their performance.

Trainees should understand the processes involved in contentious and non-contentious negotiations, and appreciate the importance to the client of reaching agreement or resolving a dispute.

They should be given opportunities to observe negotiations conducted by experienced practitioners and/or to conduct negotiations under close supervision.

They should be given work that will help them understand the process of negotiation including

1. identifying the central issues and explaining them to the client
2. assessing the bargaining-positions of each party
3. planning a negotiation
4. establishing an agenda at the start
5. listening actively
6. using appropriate questioning techniques
7. generating alternative solutions to resolve the issues
8. using an appropriate negotiating style
9. identifying the strategy and tactics used by the other side
10. documenting the agreement or settlement
11. explaining the benefits and disadvantages of the agreement or settlements

Guidance should be given on the purpose of negotiation, and feedback should be provided on the outcome and on the trainee’s performance.

Contact information

We can be contacted by completing the ‘contact us’ form at http://www.sra.org.uk/contact-us/

For our telephone numbers and opening hours, and our email and postal addresses, please visit www.sra.org.uk/contact-us.