

Annex 2: Statement of Solicitor Competence table of proposed changes and rationale

Section	Change	Reason for change
Footnote	Insert footnote under A2 'Maintain the level of competence and legal knowledge needed to practise effectively*...': Noting that the laws that apply in England may be different from the laws that apply in Wales.	To recognise that solicitors need to be competent to advise on the law in both jurisdictions and recognise when it is outside of their competence.
Footnote	The following footnote has been added under A4b, the first reference to 'a client': Client means the <i>person</i> for whom you act, and where the context permits, includes prospective and former clients. In the context of an in-house solicitor this should generally be understood as referring to the solicitor's employer. Please refer to our guidance.	To ensure that the statement of solicitor competence reflects all practising solicitors, including in-house solicitors, who do not have clients in the traditional sense.
Footnote	Amend footnote under A4c to the following: Legal system of England and Wales, constitutional law and EU law (including human rights), contract law, law of torts, Ethics and Professional Conduct, regulation including money laundering and solicitors accounts, criminal law and evidence, criminal litigation, dispute, property law, wills and administration of estates, law of trusts, taxation, and other areas relevant to the solicitor's particular field of practice	To align the areas of practice identified to the statement of functioning legal knowledge and those areas of law tested under the Solicitors Qualifying Examination
Footnote	Insert a footnote under C1 heading (Communicate clearly and effectively): Communication can be through any appropriate medium including verbal, written and non-verbal.	To recognise that solicitors may use different methods of communication, which will include oral and written communication, but various mediums of communication may be used to reflect where the solicitor has a particular disability or reasonable adjustment in place.

Technology		
Section and paragraph	Change	Reason for change
A2 (heading)	The words shown in bold have been added: Maintain the level of competence and legal knowledge needed to practise effectively, taking into account changes in their role and/or practice context and developments in the law and technology including AI, including	To provide clarity that competence to practice effectively is not limited to legal knowledge and developments in the law, but also in relation to advances in technology and the use of AI which may change the way in which a solicitor practises law and undertakes their role.
B2b	Delete: Appropriate; and To undertake the research The words shown in bold have been added: Using methods and resources appropriately and responsibly	To provide clarity that solicitors should use methods and resources appropriately when conducting legal research, including the use of technology and AI; it will be up to the individual to decide which method to use when conducting research and ensure that they do so responsibly.
B2d	The words in bold have been added: Interpreting, evaluating, checking and applying the results of the research including the outputs from technology including AI, by reference to primary resources	To reflect changes in practice where the use of technology and AI is becoming more prevalent and the importance of checking the accuracy of the information is essential in maintaining responsible and ethical legal practice.
B4a	The words shown in bold have been added: Being able to draft documents from scratch from start to finish as well as making appropriate use of precedents and technology, including AI	We have added reference to technology to reflect the increased use now, and in the future, of technology and AI in legal practice.

Professional Conduct and Ethics		
Section and paragraph	Change	Reason for change
A1c	The words shown in bold have been added: Identifying the relevant ethical, professional and regulatory frameworks including SRA principles, codes of conduct, warning notices and guidance and following them The following words have been deleted: and rules of professional conduct	To reflect the position that solicitors should be aware of other guidance issued outside of the SRA Principles and Code of Conduct.
A1d	A new bullet point has been added: Understanding and applying ethical duties in practice and being able to prioritise when they come into conflict with each other	Added to reflect the LSB's Statement of policy on upholding professional ethical duties in relation to authorised persons having the right knowledge and skills on professional ethical duties.
A1f	A new bullet point has been added: Understanding when and how to raise concerns about ethical issues or unethical behaviour	Added to reflect the need for greater emphasis on a solicitors' obligation in relation to professional conduct and ethics and in order to promote equality, diversity and inclusion in the profession.
C3	The words in bold have been added: Identifying, selecting and, where appropriate, managing external experts or consultants in a fair and effective way	To recognise that when instructing external experts and consultants solicitors should have regard to the SRA Principles (for example but not limited to, principles 2,3, 6 and 7) and the Codes of Conduct.
C3i	A new bullet point has been added: Recognising a solicitor's regulatory obligations when dealing with arrangements with third parties	To address current concerns in relation to solicitors' interactions with third parties such as litigation funders, marketers and referrers as reflected in recently published guidance. And where solicitors have an obligation to ensure that clients referred by a referrer have not been

		acquired in a way which would breach STaRs if the referrer was regulated by the SRA.
D3a	The words in bold have been added: Demonstrating an adequate understanding and application of the legal, commercial, organisational, governance and financial context in which they work and their role in it	Added for clarity that solicitors should be able to understand and apply governance rules in the context in which they work. This also reflects part 2 of the SRA Code of Conduct for firms.
D3c	The words in bold have been added: Applying the rules of professional conduct and other regulatory regimes to accounting and financial matters	Added for clarity that solicitors are subject to rules imposed by the SRA as regulatory body of solicitors in England and Wales, but there are other regulatory and public bodies relevant to the profession. Depending on the nature of the work carried out, solicitors may also need to have regard to other regulatory regimes such as that of the Financial Conduct Authority and Information Commissioners Office.
Theme: Supervision		
Section and paragraph	Change	Reason for change
C3	Under C3, Establish and maintain effective and professional relations with other people, including Delete the paragraphs in bold: b. delegating tasks when appropriate to do so c. supervising the work of others effectively The words in bold have been added: i. Recognising a solicitor's regulatory obligations when dealing with arrangements with third parties	To remove any unnecessary duplication in sections C2 and C3. Paragraphs removed from C3 (b and c) are carried forward into C4 with some changes to wording to ensure consistency throughout the SoSC. C3i has been added to address current concerns in relation to solicitors' interactions with third parties such as litigation funders, marketers and referrers as reflected in recently published guidance. And where solicitors have an obligation to ensure that clients referred by a referrer have

	And insert new section C4 Supervise others effectively, including a. Establishing and maintaining effective and professional relationships with those they supervise b. Delegating tasks when appropriate to do so, being clear about the tasks being delegated and to whom c. Being clear about expectations including being clear on the direction, supervision and control of tasks d. Having clear oversight of the work being done, including the use of technology and AI e. Having effective knowledge of the matters being progressed and assuring that legal and regulatory requirements are being met f. Leading by example in promoting professional integrity and ethical practice g. Recognising individual characteristics and differences in those they supervise and adapting behaviour, where appropriate h. Treating those they supervise fairly and with dignity and respect i. Understanding how their behaviour may affect those they supervise and taking steps to address it, as required j. Recognising and responding to concerns about health and wellbeing in those they supervise and providing support, where appropriate	not been acquired in a way which would breach STaRs if the referrer was regulated by the SRA. To separate and distinguish a solicitor's obligations in working with other people to those that they supervise. The new section underpins the expected level of competence a solicitor should be able to demonstrate when supervising others. The changes also seek to address our 'Effective Supervision' guidance in light of recent developments post Mazur, in respect of high volume consumer complaints and the need for greater emphasis on supervision in the use of technology and AI and embedding professional conduct and ethics in practice.
D1 (heading)	Delete the following words: Initiate, plan, prioritise and	To align the headings with others, which can be more easily read and understood. Initiate, plan and prioritise can be captured in the use of 'Manage'.

Health and wellbeing		
Section and paragraph	Change	Reason for change
C4i	Insert a new bullet point: i. recognising and responding to concerns about health and wellbeing in those they supervise and providing support, where appropriate	New paragraphs C4i reflects obligations on a solicitor responsible for supervising others to do so fairly, taking into account equality, diversity and inclusion, and promoting health and wellbeing.
D4 (new section)	Insert a new section: D4 Look after their health and well-being, including a. Understanding the importance of their own health and wellbeing and knowing when to seek support b. Taking steps to create and promote an inclusive and healthy workplace culture	Added to reflect the importance of looking after one's own mental and physical health and well-being and the impact it could have on themselves and their work.
Equality, Diversity and Inclusion		
Section and paragraph	Change	Reason for change
A1g	Delete: Respecting diversity and acting fairly and inclusively Replace with: Encouraging equality, diversity and inclusion and treating people fairly and with respect	To align wording with SRA Principle 6 and paragraph 1.5 of the Code of Conduct (for individuals)

C2a	Delete the word: courtesy The words shown in bold have been added: Treating clients fairly and with dignity and respect, while recognising how their behaviour may affect others	We have amended the wording to reflect the wording of paragraph 1.5 of the SRA Code of Conduct for individuals Wording added to reflect the need for greater emphasis on a solicitors' obligation in relation to their professional conduct and to promote equality, diversity and inclusion in the profession.
C3a	Delete the word: courtesy The words shown in bold have been added: Treating clients fairly and with dignity and respect, while recognising how their behaviour may affect others	We have amended the wording to reflect wording of paragraph 1.5 of the SRA Code of Conduct for individuals Wording added to reflect the need for greater emphasis on a solicitors' obligation in relation to their professional conduct and to promote equality, diversity and inclusion in the profession.
Theme: Structure and Language		
Section and paragraph	Change	Reason for change
A1b	Change: lawyer to: solicitor	To align terminology so the use of 'solicitor' instead of lawyer is consistently applied throughout the statement.
B1a	Change: effective use of questioning and active listening to: Appropriate questioning and listening	We have removed reference to active listening to be inclusive for those with hearing impairments. The amended wording recognises that solicitors will use different methods of questioning and listening to obtain facts depending on the context, and solicitors may communicate in different ways when obtaining facts and listening to reflect where the solicitor has a particular disability or reasonable adjustment in place.
B4a	Delete: from scratch	We have changed the language to make it accessible to all, and more understandable to those where English is not their first language.

	The words shown in bold have been added: Being able to draft documents from start to finish as well as making appropriate use of precedents	
B5 (heading)	Delete: Spoken and written Replace with: Undertake effective advocacy, including	We have removed reference to spoken and written advocacy to be more inclusive. It does not undermine that there are different forms of advocacy but promotes inclusivity; solicitors may require reasonable adjustments in order to conduct advocacy.
B5a	The following word: mastering Has been replaced with: Understanding	To provide clarity in wording and language. We received feedback that 'mastering' confers a higher level of proficiency than is needed to meet the Threshold Standard. Although 'mastering' can also be synonymous with 'learning' and 'grasping' the use of understanding may remove any ambiguity.
B6d	The following word: side Has been replaced with: party or parties	To align terminology so the use of 'parties' is consistently used throughout the statement.
C1 (heading)	Delete: Orally and in writing	We have removed reference to communicating orally and in writing to be more inclusive. This broader approach covers all types of communication. We have clarified this with the insertion of a footnote (see above).
C1g	The following word: Imparting	We have changed the language to make it accessible to all, and more understandable to those where English is not their first language.

	Has been replaced with: Delivering	
C2g	The following word: clear Has been replaced with: Transparent The words in bold have been added: Agreeing the services that are being provided and a clear transparent basis for charging including explaining external fees or disbursements	To align wording with the SRA Transparency Rules (SRA Transparency Rules Solicitors Regulation Authority). Wording added to clarify that solicitors should be transparent with client not only with regard to their fees, but also the basis for charging and collecting other disbursements which a client may be incurred in dealing with their matter.
D1d	The words shown in bold have been added: Monitoring, and keeping other people informed of progress of work, including any risks or problems	To reflect change similar provision in relation to C3d.