



## Highlighting the changes

### New rules on CPD and how they affect you

#### The new “continuing competence” regime – what does it mean for an in-house lawyer?

From November 2016, a new continuing professional development regime has come into effect for all solicitors regulated by the Solicitors Regulation Authority. This affects both solicitors in private practice and those working in-house or overseas.

#### What are the key changes?

##### The hours based requirement is gone!

The old, hours-based, regime (under which solicitors had to record 16 hours of CPD activity each training year) has now gone – something which will no doubt come as a relief to many who can now avoid the mad dash each October to accumulate sufficient points.

However...

The replacement regime, whilst undeniably more flexible, is in many ways more demanding! The relatively simple, points-based system has been replaced by something that requires a more strategic and personalised approach. Under the new system, a solicitor must:

- ✓ **Reflect** - reflect on his/her current practice and IDENTIFY learning and development needs
- ✓ **Plan** - draw up a plan of how to address those needs
- ✓ **Address** - undertake relevant learning activity
- ✓ **Record/evaluate** - evaluate the outcome of learning activity undertaken

The good news is that the SRA recognises that solicitors learn and develop through a much wider range of activities than simply attending set-piece training sessions. Under the new system, solicitors can record a wide range of more informal learning including private reading and study, coaching and mentoring, sharing knowhow, transaction debrief meetings etc.

## What do I need to do differently?

Every solicitor needs to maintain a learning log which reflects the four elements of the learning cycle set out above. The SRA is not specifying a particular format for this record and each solicitor is free to choose a method that best suits his or her preferred style, be that a hard copy log, an online record, electronic calendar entries or even a bespoke App. All that is required is a maintained record that can be produced to the SRA if required to demonstrate how that solicitor has fulfilled the regulatory requirements.

## As a manager of an in-house team, what should I do?

Although the SRA makes it clear that identifying and addressing learning needs is each individual's responsibility, for good team management and effective staff retention and recruitment it is best practice for supervisors to have oversight of the learning objectives and outcomes of all team members. We would therefore recommend that in-house legal managers:

- have regular discussions around strengths and weaknesses and how these translate into learning and development needs
- review learning logs of all team members at least once per year
- make a plan that balances individuals' learning needs and the strategic requirements of the team within inevitable budgetary constraints

In order to assist with the above, managers may choose to impose requirements as to the format of solicitors' learning logs in order to allow simple reporting and the generation of other management information. This may also be important to ensure adequate integration with existing systems, for example those used for staff appraisals etc. There are software solutions available from a number of providers and various learning management systems will also incorporate suitable recording tools. For smaller teams, simple Word based templates may be sufficient and examples can be found on the SRA website.

## How can Eversheds help?

We would be happy to come in and present to your teams the impact of the new regime, including practical, hands-on examples of how to complete sample training logs and what information should be recorded. We can advise on designing suitable systems and how to effectively manage the learning and development needs of your team.

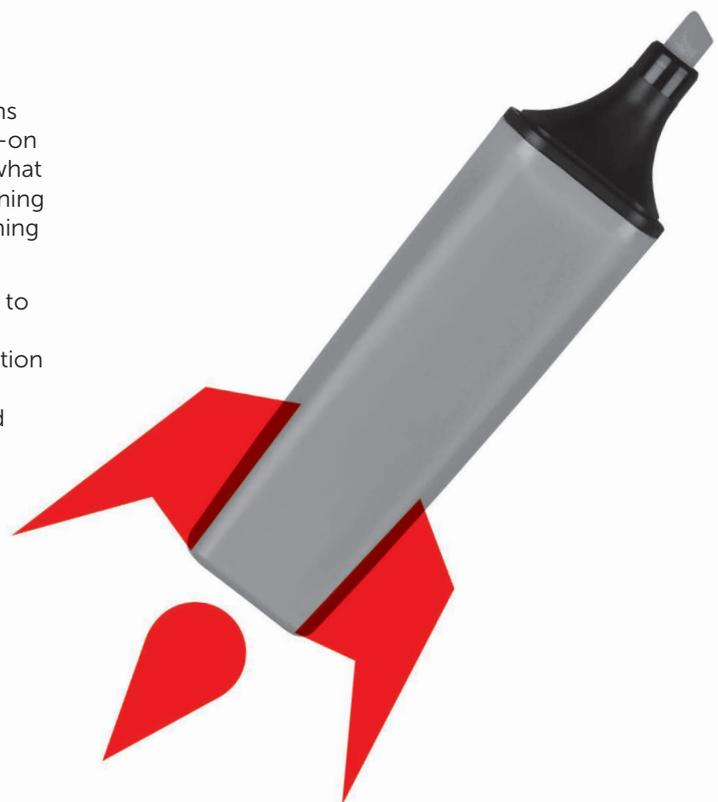
In terms of delivering technical training, we will continue to offer bespoke training to address your particular learning needs across a wider range of topics. For further information on our current training offering, please contact your Eversheds client partner or take a look at our training and events page on [Eversheds.com](http://Eversheds.com).

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