



## Education and Training Consultation

### *Initial feedback on responses – qualitative results*

#### INTRODUCTION

Thank you for your continued interest in this project. Attached is an initial print-out of the free-text data we have received, each section has a header table containing the following information

<b>Question Number:</b>	<b>The number of the question in the original questionnaire</b>
<b>No of responses:</b>	<b>The total number of people who submitted a free-text response to this question</b>
<b>Section Titles:</b>	<b>The section of the questionnaire in which the question was asked. For example, 'Contact Information (Organisations)'</b>
<b>Question Text:</b>	<b>The exact phrasing of the individual question asked. For example, 'Name of Organisation'</b>

If you wish to look at the context of these questions within the overall consultation questionnaire then copies can be download in .pdf format from the consultation website.

#### SOME IMPORTANT POINTS TO NOTE

- This data is an initial release only. You should take great care in the way you examine, analyse and make conclusions from this initial data set
- These comments originate from a wide range of people including members of the public, those in training, those currently practising as a solicitor, and those working in other professions
- In a few limited circumstances data has been removed, this is where there is a concern the data would identify an individual or organisation (through the use of a name or through a set of facts which may lead people to an identity) and this was not thought to be appropriate. In all cases it is noted where text has been removed
- It should be noted that this data set only relates to data submitted using the online electronic forms. Submissions from organisations and individuals submitted in alternative formats will be made available in due course, and have already been provided to the decision making committees within the Society
- **The Society is NOT currently endorsing any views in these results**, this is currently the case even where there is a repeated theme to responses. All the evidence gathered during the consultation will be examined and discussed - policy announcements will be made through this website, the Journal, and the Ezine.



## D. PEAT Stage 2 (Traineeship + PCC)

<b>Question Number:</b>	<b>Q2</b>
<b>No of responses:</b>	<b>2</b>
<b>Section Titles:</b>	<b>Contact Information (Organisations)</b>
<b>Question Text:</b>	<b>Name of Organisation</b>

1	to 32 = no responses
33	DLA Piper LLP
34	No response
35	No response
36	Faculty of Advocates



<b>Question Number:</b>	<b>Q14</b>
<b>No of responses:</b>	<b>27</b>
<b>Section Titles:</b>	<b>1. The Traineeship (cont.)</b>
<b>Question Text:</b>	<b>(An increasing number of LL.B. graduates, and even Diploma graduates, will not find training contracts, but may end up working in solicitor's offices in paralegal or support roles.) What makes a training contract different to simply working in the solicitor's office?</b>

1	No response
2	It is a training & learning period with a 'goal' i.e. qualifying.
3	It is possible to "work" without being trained. The difference is that development assistance must be offered by the training organisation.
4	No response
5	Different ethical standards apply to support staff in a solicitor's office than to solicitors, and therefore, trainee solicitors. Trainees require different training to be able to develop into a solicitor - ability to communicate effectively, carry out research, drafting and advocacy skills.
6	A formal contract imposes obligations on both parties. It could also be beneficial where there is a dispute between the parties to determine what was agreed/status of "worker".
7	More client contact, more scope to use initiative and judgement, more interesting and complex legal work
8	A training contract must contain both structure and assessment
9	The emphasis should be on learning during a traineeship, perhaps on a broad range of services, while a paralegal is expected to work on a single service (perhaps 2) and to be able to deal with normal work in that service.
10	In a properly managed role, the trainee will participate in regular in-house training and will experience different fields of law, feedback will ensure the trainee develops his/her full potential and becomes a useful addition to the profession.
11	No response
12	The expectation that the trainee will go on to develop a career as a solicitor, and along with that the type of work they are given during their training is meant to help their development. If someone is 'working in a solicitors' office' they most likely do not have the opportunity to ask for different types of work to be given to them or to ask for lots of time to be invested in training them across different areas of law.
13	I think this needs to be looked at on a case by case basis and I think much depends on the level of responsibility given and the breadth of role. Some paralegals have a lot of responsibility but a very limited role. There is probably more of an attempt to rotate a trainee round different roles within a firm to allow for breath of experience and training whereas simply working in one role is fairly limited in comparison.
14	A training contract implies an obligation on the firm to deliver the training promised and to respond to the trainee's reasonable needs and requests. Straightforward employment in any other capacity does not carry that obligation on the employer
15	The training and quality of work given to a trainee solicitor is of a more complex nature than that given to people in support roles
16	No response
17	The active involvement of supervisors/partners/support staff in actively looking at ways of increasing the individuals' knowledge and increasing exposure, under supervision, to clients



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	and different transactional scenarios and methods of communicating. A relatively wide range of work which is aimed at developing the individuals' soft skills above and beyond their initial knowledge.
18	Being part of "The Rule of Law"
19	No response
20	Nothing. It just prevents you climbing up the tree.
21	The fact that in individual is a training contract is intended to become a member of the profession, and requires to comply with a number of duties arising there from including, ethical standards and the code of conduct.
22	While gaining an insight into and understanding of paralegal and support roles, a trainee ought also to be developing their knowledge of the law and gaining experience in the common documents in different practice areas and the competences required in each area. A trainee should also be developing a commercial awareness to gain an overview of how a firm operates, why it is profitable and how it can be developed (this commercial awareness should also extend to other business models to enable informed advice to be offered to clients).
23	It should be quite clear but in practice it may not be.
24	A firm will probably give a more in depth & wider training programme to a trainee who will probably work more & on a more equal basis with the partner/solicitor
25	The basis of a training contract is a formal agreement between a graduate and the firm with a view to attaining a qualification at the end of its term subject to the necessary requirements being met whereas working in a solicitor's office has no such formal obligations although the employee may still wish to qualify through different routes
26	Specific direction and purpose
27	(1) On the plus side: It is structured. There is an emphasis on training, not just getting the job done. There may be a greater variety of work. There is (or should be) proper supervision. There is a chance to make mistakes and learn from them (to a point). (NB: consider that traineeship should only be one year long, hence response to question about option of applying for admission after one year). It is an opportunity to discover whether you like working in law. (2) On the negative side - it is a temporary contract which offers no job security for the trainee and is often badly paid - probably below minimum hourly wage for many corporate trainees who are expected to work regular evenings and weekends. To create job security an option would be for trainees to be on permanent contracts from day one, but subject to supervision and training for an initial period and undergoing independent assessment after, say, one year. This is a fairly radical idea and not something I have based my other responses on, however I feel it is worth consideration. It may be that other professions already use this approach successfully. Alternatively the first year could be a probationary period in a permanent contract of employment, allowing firms the option to "get out" if the trainee is not suitable. It would be likely to work better if the degree and Foundation course were more practical and better at equipping trainees for practice than they are currently. I feel this would help to encourage a "grow your own assistant" mentality.
28	No response
29	Responsibility
30	No response
31	Training firms undertake to ensure a trainee is given exposure to enough areas of law that would make that trainee competent to practise in their own right at the end of the traineeship. This means a trainee is involved in all aspects of transactions and learns from their mistakes. They should not simply be given "pieces" of work to undertake which are not in context of the deal or the bigger picture. The main difference is this undertaking to really involve trainees in the work of the firm, and to ensure the trainee learns from their mistakes. The trainer should as a competent solicitor know what the standard required of a fully fledged solicitor is, and note an increase in performance over the length of the traineeship. Trainees should be increasingly challenged and given difficult pieces of work, so that they do make mistakes and then learn from them. Trainees should also be immersed in the culture of the firm and undertake other activities that fee earners do - time recording, networking and business



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	development, attend CPD courses (albeit CPD is not yet a requirement for them).
32	No response
33	Content of structure and experiences provided by the firm.
34	No response
35	Emphasis on training, not just working. End result means the achievement of the goal of becoming a solicitor.
36	Type response here
37	The increased emphasis on professional ethics and client service delivery



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<b>Question Number:</b>	<b>Q15</b>
<b>No of responses:</b>	<b>29</b>
<b>Section Titles:</b>	<b>1. The Traineeship (cont.)</b>
<b>Question Text:</b>	<b>In the future, what arrangements might need to be put in place to ensure the traineeship is a substantive and meaningful stage in the development of solicitors?</b>

1	Improved guidance by The Law Society on the level of work that is appropriate for trainees to be involved in, to ensure that they are given meaningful work.
2	More guidance on a practical basis.
3	The continuing monitoring arrangements do not work. Lip service is paid to them in large firms, who just assume that the people are there to do the work and will become solicitors at the end of training. A proper, difficult final exam should be posed- or none at all. Increasing entry barriers to solicitor status merely adds to work and expense- they should be meaningful (for the profession and in the public's perception) or they should not exist.
4	No response
5	Either more involvement with the Society, or the independent assessment board if established, to ensure awareness of what skills the trainee could obtain from their particular traineeship. This would allow them to be assured that the trainee is attaining the skills required to become a solicitor. The current logbook and quarterly reviews are more geared towards trainees in private practice. In-house solicitors have different opportunities, and indeed miss out on some particular opportunities which are currently emphasised as important.
6	Need to ensure the quality of the those supervising/providing the training
7	Focus on managing the learning process - on the job training but proper and objective feedback together with mapping of progress
8	The Law Society should adopt the same approach as other professional bodies and have an application for entry interview
9	Substantial CPD throughout the traineeship, mostly chosen by the trainee/employer (with some compulsory stuff, such as ethics. Record-keeping and certification by the employer that the trainee is sufficiently skilled in specific areas of the law. Without some need to certify ability, the traineeship is meaningless, but this should not be an exam-based certification (although exams could be used where a dispute arises between employer and trainee about certification).
10	Vetting (of some sort) of firms that offer training contracts to ensure the above
11	Exposure to as many areas of law that the training firm undertakes. Ongoing mentoring as well as training of the practical elements of transactions/litigation.
12	Independent assessment - e.g. interviews at different stages to demonstrate competencies and skills, with the opportunity for trainees to ask for specific training to be compulsorily provided or paid for by their employer if need be.
13	I am not convinced that one can be too prescriptive given the differing natures of legal practices in operation. Perhaps the best way is some form of accreditation and training of training firms so that they understand the training a trainee requires. It is clear that training differs widely from firm to firm and between trainers within firms so this is a very difficult question
14	No response
15	There should be certain things which trainees have to do during the training contract.



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	Photocopying for two years doesn't provide any form of training.
16	Greater involvement of the solicitors responsible for trainees in firms/legal organisations with the aims espoused by the Law Society.
17	Emphasis on the firm training the individual, as opposed to using them as a cheap resource for photocopying/proof-reading etc.
18	No response
19	No response
20	All the traineeship achieves is the recognition that after two years training there should be some sort of right of passage to confirm your status as there is in many professions. It is a case of effluxion of time and learning to keep your nose clean.
21	Increased regulation on the type, quantity and quality of work undertaken.
22	Law society representatives could conduct "interviews" with trainees at firms on a random basis to establish what work trainees are involved in and whether or not they are being appropriately trained - this may go hand in hand with some form of accreditation as a "training firm".
23	Possibly take it out of the hands of legal firms and have a Training centre like the CA profession. If politically it could not be on a single site in Scotland then perhaps one in the east and one in the west. Trainees could then go there on a block basis and have to pass certain requirements in a national test. Standards should be high. This benefits those who pass and the profession overall.
24	Don't have sufficient knowledge of current requirements.
25	More external scrutiny
26	Easier transfer from a non-productive contract to a better one
27	Accreditation of providers. Periodic monitoring of providers. Training of trainers. Interspersing the traineeship with the Foundation course. Encourage trainees to feedback on the training they receive (e.g. in one larger firm there is - or was - a "trainee committee" with reps from the trainees and partners and HR department who would meet to deal with any issues).
28	No response
29	It already is.
30	No response
31	It is currently very hard to assess what a trainee has actually learned. However, further to my responses to the tick box questions, I do not believe there should be credit for prior experience, because how would the Society measure that the requisite exposure had been given to areas of law? There is already criticism that it is hard to measure one trainee against another, and I fear that introducing credit for previous work experience might bring further criticism. If credit is given, this would require to be developed over time and in collaboration with a set group of organisations who would be briefed on what the previous work experience would require to entail to result in credit towards the traineeship. Logbooks are useful, but they should be enforceable if a trainee has not had exposure to a certain area of law, whilst currently there is only a random sample of logbooks taken. A national exit exam would not be well received by future trainees, who already dedicate seven years of their lives and often pay a lot of money to qualify as a solicitor. That being said, it could be the only way to ensure newly qualified solicitors are reaching an appropriate standard across the board. Trainees would of course require to be given time off from the traineeship to study for such an exam. This would very much have to be billed as a positive thing and not an additional burden for trainees. The Accountancy profession does this, and it could help the legal profession in Scotland with our current Diploma/traineeship numbers issue, in that only those who are committed to the profession will embark on the Diploma and the traineeship.
32	No response
33	Set training standards, accreditation of firms offering traineeships, monitoring of traineeships.
34	Training of solicitors' firms who take trainees. No way round this one. But it can be (must be) handled sensitively so as to avoid the number of traineeships decreasing.
35	Set of learning outcomes, objectives that every training firm has to adopt.
36	Type response here



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37	Increased focus on development and training provided by the training firm
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<b>Question Number:</b>	<b>Q16</b>
<b>No of responses:</b>	<b>29</b>
<b>Section Titles:</b>	<b>1. The Traineeship (cont.)</b>
<b>Question Text:</b>	<b>Should the Society specify mandatory 'core skills' to be attained through the traineeship? If yes, what should they be?</b>

1	Yes
2	Perhaps.
3	No response
4	No response
5	Yes - research and judgement skills are essential as are communication skills. Again, with an awareness of the different opportunities for learning and developing skills which arise with private practice versus in-house traineeships.
6	Training must include dealing/interaction with the public, their needs and expectations [particularly those who are vulnerable]
7	Communication Commercial Awareness Judgement Team working Work and time management
8	No response
9	Only in the case of ethics (or something similar) should the Society be involved. It is for the Trainee and employer to agree what skills will be learned during traineeship. However, the Society could specify some learning in areas such as Client Care, which must be undertaken through CPD during the traineeship.
10	Guidance might be offered as opposed to mandatory areas
11	Good client care/management, good communication skills, understanding the importance of undertaking requisite CPD.
12	No - I think the profession should be free to dictate its own 'mandatory' core skills. e.g. if a person cannot demonstrate the appropriate level of relevant skills for a particular job as a solicitor or other legal professional then, quite simply, they do not get the job. This is how other professions and businesses operate - it should be a free and competitive market to ensure diversity of the workforce and opportunities for all.
13	Yes
14	No response
15	Yes. These should be specific to each 'seat' a trainee undertakes.
16	Yes. The core skills should encompass some of the subjects currently taught through the DipLP, i.e. professional ethics, practice management, knowledge of the regulatory environment (the latter more so due to the imminent establishment of the independent complaints commission).
17	Yes - expansion of the skills listed in the previous questionnaire (i.e. diploma-type skills).
18	Yes. The Rule of Law Client care Good communication skills
19	No response
20	A general degree of competence, literacy,
21	Yes - Ethics, Time Management, use of Technology, Client Care
22	Core skills may not be necessary. What makes one person a successful practitioner will not necessarily be of value to another working in a different practice area. Those offering traineeships should be monitoring and assessing trainees to ensure that they are competent.



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23	Yes if there is an independent assessment of the core skills rather than on a per firm basis.
24	Emphasis on inter client skills both in person & in writing
25	Yes, but after appropriate consultation with interested parties
26	No - too much variation in firm practices to standardise
27	Yes. Need to make sure these work for all types of traineeship however. Could include: client service, time and workload management, communication, professionalism and ethics, legal problem solving.
28	No response
29	No.
30	No response
31	Yes, and these should further the skills taught on the Diploma in Legal Practice. The PCC helps to achieve this, as do the Quarterly Performance Reviews. Any new system should continue to build on the Diploma. Perhaps training partners should keep an official log of examples when the trainee has demonstrated the core skills and that this should be reported to the Society. This would link back to an actual file the trainee had been working on, rather than being an abstract example, again an extension of the logbooks, but with the onus on the supervising fee earner rather than the trainee creating examples of which THEY believe they have done well!
32	No
33	Yes
34	Yes -- based upon stage one skills, attitudes & values. There must be continuity throughout the programme...
35	Yes. Interviewing, drafting, advocacy, competency.
36	Type response here
37	no



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<b>Question Number:</b>	<b>Q17</b>
<b>No of responses:</b>	<b>25</b>
<b>Section Titles:</b>	<b>1. The Traineeship (cont.)</b>
<b>Question Text:</b>	<b>Should the Society specify mandatory 'core knowledge' to be attained through the traineeship? If yes, what should they be?</b>

1	No - but guidance should be provided for each are of law.
2	Perhaps.
3	to 5 = no responses
6	Core knowledge should include the workings of the courts and the legal system including legal aid and jurisdiction
7	Professional duties Law of Contract Legal persons
8	No response
9	No. Matter between trainee and employer, except as in the previous answer.
10	As above
11	Understanding of conflicts of interest rules, understanding the difference between the guarantee fund and the master indemnity policy,
12	There should be some core knowledge but this depends on what area of the legal profession someone is working in - each area probably needs to have its own specifications, but it is important to keep this up to date (unlike the current log books which are out of date).
13	Yes
14	No response
15	No response
16	The principle of this is sound but it would be difficult for trainees to achieve who are training in-house or who are undertaking a purely 'commercial' traineeship.
17	No response
18	Yes
19	No response
20	No. What is the point in someone who just wants to do criminal law having to do, say, tax law as part of his traineeship. NO mandatory core subjects, just reasonable competence.
21	Yes - should show fitness to practice in the area of law the trainee intends to enter into upon completion of the traineeship - could be governed by work undertaken in that area as detailed in a trainee's logbook
22	No - core knowledge should be attained prior to commencement of the traineeship.
23	No response
24	Apart from the Law then Professional Ethics & LSS Accounts & Conduct requirements.
25	As above
26	No - too much variation in firm practices to standardise
27	No, as I consider that this is too difficult to achieve on the job, due to the wide variety of legal work done by training organisations. It might be achievable, however, through formal training sessions provided by the training firm or could be part of the Foundation course (which should replace the PCC). Any training like this should ideally be received just before the trainee commences work in a particular area (again some larger firms offer start-of-new-seat training which is beneficial).



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28	No response
29	No.
30	No response
31	No, I believe it is perfectly competent for traineeships to be as wide or as narrow as a firm is able to offer. In many ways the two-year "specialised" traineeship results in having a greater knowledge of a practice area than a traineeship involving a "seat change" every six months. However, perhaps when solicitors qualify there should be some way to identify what type of traineeship that solicitor had. If traineeships vary across the board, other organisations and firms should be aware of this when they are recruiting newly qualified solicitors, for the benefit of the profession. See also my comments to the next question.
32	No
33	Yes
34	Don't agree.
35	Not necessarily. The knowledge to be developed will depend on the area of law that is to be practised.
36	Type response here
37	No



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<b>Question Number:</b>	<b>Q18</b>
<b>No of responses:</b>	<b>27</b>
<b>Section Titles:</b>	<b>1. The Traineeship (cont.)</b>
<b>Question Text:</b>	<b>Should the Society specify mandatory areas of practical legal experience to be attained through the traineeship? If yes, what should they be?</b>

1	No - trainees should be free to complete a traineeship in one area of law if they wish.
2	Yes. Perhaps choosing say e.g. 3 out of 4 of conveyancing, executries, court, company.
3	No response
4	No response
5	Any such specification should be made bearing in mind the differences in traineeships in different firms/organisations. If any such areas were to be specified this could have the result of some firms no longer offering traineeships because they would be unable to provide that experience. To avoid this, consideration would need to be given to facilitating partnerships between different types of firm so that all areas could be experienced by trainees by way of placements or secondments.
6	Should be linked to whatever is established for the above. Could even do practical sessions in a CAB! or something similar to the Free Representation Unit arrangements for devils [Citizens Advice Scotland/Faculty of Advocates]
7	In a changing market we should try to be as flexible as possible
8	No response
9	No. As in previous 2 answers.
10	As above
11	No response
12	No - again, this should be a free and competitive market - employers should be free to be flexible to suit their own requirements.
13	Yes
14	No response
15	No response
16	The principle of this is sound but it would be difficult for trainees to achieve who are training in-house or who are undertaking a purely 'commercial' traineeship.
17	Yes - Corporate/Real Estate/Litigation
18	No
19	No response
20	No. See above.
21	Yes - in the area that a trainee is looking to practice in
22	No - it should be up to the trainee to seek a traineeship with a firm that can offer experience in areas of legal practice that trainee is interested in and it should be up to the firms to ensure that trainees are offered experience in the areas in which they practice.
23	Yes.
24	At least one of Litigation, Conveyancing & Private Client.
25	As above
26	No - too much variation in firm practices to standardise



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27	No, as I consider that this is too difficult to achieve in practice, due to the wide variety of legal work done by training organisations and inability to control the work which comes in the door. Guidance on optional areas would however be beneficial, provided this was detailed and tailored to all different types of traineeship.
28	No response
29	No.
30	No response
31	My comments above apply. However, if firms were made to advise the Society how a traineeship were to be structured, this would allow the Society to "categorise" a traineeship and therefore within that category specify mandatory areas of practical legal experience, similar to how logbooks currently work (but again, more enforceable). There are obviously resource implications for the Society, but in my mind this would be the ideal situation.
32	No
33	Yes
34	No -- traineeships are too variable in nature. Can't be that prescriptive (or proscriptive), especially in a small jurisdiction.
35	Again depends on the training firm and the area(s) of legal advice which a particular firm gives.
36	Type response here
37	No



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<b>Question Number:</b>	<b>Q21</b>
<b>No of responses:</b>	<b>15</b>
<b>Section Titles:</b>	<b>1. The Traineeship (cont.)</b>
<b>Question Text:</b>	<b>How could this element be made more effective? (QPRs)</b>

1	Much more guidance should be given to the solicitors who are completing the review form e.g. is the trainee being assessed against other trainees of that stage or assessed against the standard required for a newly qualified solicitor. These standards are quite different and the confusion surrounding the 'scoring system' leads to a lot of ill-feeling and disillusion amongst trainees.
2	More flexibility than just numbers.
3	No response
4	No response
5	As the reviews are completed by more senior solicitors/partners who may have little or no day to day knowledge of your work, they are not an effective method of assessing progress. Allowing a solicitor who has more contact with the trainee to perform the reviews, perhaps then seen or reviewed by a partner, would allow for improved feedback to the trainee. The skills are broad in their terms and different solicitors have different views about how good a trainee's skills have to be to demonstrate competency. With the introduction of a "Training Partner" as mentioned in the main questionnaire, this could become more effective as the reviewer would have a better idea about what level a trainee should be at to demonstrate competency and with mandatory training for the training partner, consistency across all traineeships could be attained.
6	Performance Reviews are only as effective as the questions asked and answers given at the time! You can always answer what someone wants to hear! Also, if there is a problem, giving the "wrong" answers may go against the trainee! Ongoing assessment, particularly of work done, is essential to any review.
7	Have it reflect the core elements, ensure managers of trainees are trained to a consistent standard
8	Supervisors should require to undertake formal Law Society training in how to review performance consistently
9	to 11 = no responses
12	If it's going to be used at all, the review submitted should be more detailed rather than just a tick box exercise.
13	Train the trainers as to what this means/how this should be used
14	If the trainer had to rank the trainee's achievement of competencies (Most competent to least competent) then it would lead to a more honest assessment and avoid the temptation to avoid confrontation or time consuming discussion with the trainee by simply signing off everything as fine
15	Yes. A tick box (with a choice of three boxes) is too simplistic. However asking trainees to 'rate' themselves also does not work.
16	To 20 = no responses
21	More detailed questions and standards should be included within the review - perhaps relevant to the specific area of law a trainee is working in Actions should be agreed as part of the review - for example to highlight areas the trainee has not experienced and to agree to



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	try and have the trainee gain experience in that area
22	It should be altered to require regular discussions between trainees and trainers where performance (on both sides) can openly be discussed and areas for improvement (on both sides) can be agreed upon where necessary.
23	to 30 = no responses
31	Firms often use internal appraisal systems to appraise trainees, and the quarterly performance review is an additional system which is used in that process. I think the concept should be maintained, but that there should be split responsibilities on the trainee and supervising fee earner to merge the logbooks and quarterly performance reviews into something which makes reference to actual files or actual conversations with the client.
32	No response
33	Allow firms to use their own performance management in place of this, with those without any deferring to a Law Society system.
34	Proper educational project (such as the e-portfolio project at GGSL) that brings together all stakeholders and works through the issues. E-portfolio approach is the only viable one.
35	No response
36	No response
37	By amending the competencies achieved, the categories of answer, the use of a number as a measurement of performance and a greater focus on feedback and areas of improvement/development. There is also no guidance on what is required to attain competencies



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<b>Question Number:</b>	<b>Q22</b>
<b>No of responses:</b>	<b>9</b>
<b>Section Titles:</b>	<b>1. The Traineeship (cont.)</b>
<b>Question Text:</b>	<b>Any other comments on the Quarterly Performance Reviews?</b>

1	No response
2	No response
3	In experience, they are not consistently delivered (in large firms, lip service is paid to them, or they overlap with the firm's own arrangements) nor used as an effective control.
4	to 6 = no responses
7	The existence of a review schedule is essential and quarterly is probably correct. It is the documentation which at the moment could be better
8	to 11 = no responses
12	Most solicitors assessing me when I was a trainee had no idea how to fill in the review or what it meant. They assumed it was 'just paperwork' and had no practical relevance to my training. Anecdotal evidence from fellow trainees at the time was that their reviewers did the same thing. Most people got good marks just for turning up and attempting to do some work - this is not the high standard of professionalism we should be striving for!
13	Not detailed enough, differs from trainer to trainer
14	to 20 = no responses
21	Not consistent - marking varies through different departments of firms, as well as from firm to firm
22	The current areas where competence is required are too basic and are provide little insight into whether or not trainees are, in fact, competent. The current reviews are open to abuse and have become a "box ticking" exercise throughout the profession.
23	to 25 = no responses
26	This is primarily a communication tool between trainer and trainee. It is no substitute for goodwill and ability on the part of either.
27	These should be retained in some format as it is important for progress to be assessed regularly during the traineeship so any gaps or issues can be identified early.
28	to 33 = no responses
33	It is open to abuse by being merely a box ticking exercise.
34	No more responses



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<b>Question Number:</b>	<b>Q24</b>
<b>No of responses:</b>	<b>12</b>
<b>Section Titles:</b>	<b>1. The Traineeship (cont.)</b>
<b>Question Text:</b>	<b>How could this element be made more effective? (Logbooks)</b>

1	to 4 = no responses
5	The Legal Practice Areas in the logbooks are again broad. Perhaps with more "examples" of the work carried out - probably by description - it would be more obvious what sort of progress was being made. Simply ticking the boxes doesn't tell anyone anything. It's a difficult balance between providing enough information to show the progress and having to spend too much time completing the log book rather than carrying out the practice areas contained within it.
6	?Electronic
7	I find the logbooks useful as a record of technical areas covered. Given the diversity of practical experience I am not sure they can be more than a tool (i.e. not the basis of assessment)
8	They need to better measure improvements in performance, increase in skills and knowledge
9	to 11 = no responses
12	The effectiveness of the log books depends on the people using them. Fellow trainees would resent filling them in, saw them as useless and a waste of time. My own experience was that I used them as a tool and proactively showed my line manager what areas I would like more experience of etc - that worked well for me but I imagine most trainees and managers did not approach this on that basis.
13	Again, train the trainer re its use and role
14	No response
15	The logbooks should be made up by the firm giving the traineeship to be more relevant. At the end of each seat they should be passed to the law society.
16	No response
17	Different firms apply different standards to these and attach different degrees of importance to these. There should be a globally agreed and adhered to approach.
18	to 20 = no responses
21	Required to be much more tailored to the area of law the trainee is based in
22	Either everyone should be made to complete and submit some form of logbook or no-one should. The vast majority of trainees do not complete them (unless they are required to submit and in such cases they are often completed within the space of one hour before being submitted). It may be that it should not be a form of assessment or used as a method of quality assurance. The logbook system, in my opinion, is more effective in allowing trainees to monitor the work they are involved in and showing how a record can be kept (therefore allowing the trainee to compile a CV and have a better idea of where their strengths and limitations are likely to be).
23	to 30 = no responses
31	My previous comments apply. In addition, some firms use in-house log books which the Society have approved. I believe there should be one official set of log books which all firms must use, which creates the idea that all trainees are being assessed on a level playing field.



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	<p>In addition, per my previous answer perhaps they could be merged with the quarterly performance reviews, as they are often used to inform each other in any event. Log books should always make reference to specific files and dates. I think there should be a responsibility on the supervising fee earner to ask trainees to submit it to them on for example a fortnightly or monthly basis. I believe many trainees do not complete log books until the end of the three month period, and fill it in for the entire three months in one sitting. Once again this has resource implications for the Society, and involves the buy-in from trainees and firms that the system will be changing, but I believe this would be a positive step forward.</p>
32	No response
33	No response
34	Again -- e-portfolio approach, as set out in previous box.
35	No response
36	No response
37	These are not necessarily reflective of training in practice - one I believe requires a trainee to negotiate a share purchase agreement which is unrealistic at that stage



<b>Question Number:</b>	<b>Q25</b>
<b>No of responses:</b>	<b>8</b>
<b>Section Titles:</b>	<b>1. The Traineeship (cont.)</b>
<b>Question Text:</b>	<b>Any other comments on the Log Book?</b>

1	Log Books are useful for trainees as 'evidence' that they are not being given appropriate work or a good variety of work.
2	No response
3	I have not used them myself, but have seen them used. They are treated as an admin burden. Unless they are properly examined, there is no point having them.
4	No response
5	No response
6	Surprised [?!] to see no Consumer/Debt Also out of date - no mention of Mortgage to Rent or Mortgage Rights Act or Civil P/ships etc!!!
7	No response
8	They are merely tick activity
9	to 11 = no responses
12	They need to be kept up to date - review them every year.
13	Not sure how consistently these are used. Are a good starting point for elements to ensure as many as possible are incorporated in trainee's day to day workload and that trainee is given exposure to as many as possible. Helps give a measure of what is expected of a trainee - from both the trainer and the trainee's points of view
14	to 25 = no responses
26	The log book is simply record-keeping. It merely records what the trainee has done but what they can do is determined by ability and the scope of the practice in which the trainee is working.
27	Log Books should be retained in some format as it is useful to have a tool to allow trainees to be able to record the work they have been involved in. It may be however that the current structure is restrictive or not sufficiently tailored for different types of work, including in-house work - or even tailored to each firm. It must be meaningful however and not just a box-ticking exercise.
28	No more responses



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<b>Question Number:</b>	<b>Q27</b>
<b>No of responses:</b>	<b>20</b>
<b>Section Titles:</b>	<b>1. The Traineeship (cont.)</b>
<b>Question Text:</b>	<b>Do you believe that additional assessment is required? If so in what forms? At what stage in the traineeship should it be taken?</b>

1	I do not believe that additional assessment is required. I do think it is important that there is some sort of panel that a trainee can appeal to if his/her supervising solicitor refuses to sign them off (this may already be in place - I am not aware of the present system, being a current trainee). This appeal panel could then look at evidence of work completed during the traineeship etc.
2	Yes, perhaps some combination of above.
3	I would not be against an interview. If it were meaningful and did not cause delay or cost. It might bring greater formality and a feeling of formality to the end of the traineeship.
4	No response
5	No response
6	There could be an assessment of competence from a third party/peer assessor in the last stage of the traineeship
7	Quite happy with the idea of a practical exam but my preference is for a portfolio (as done in NHS for doctors) which I think will be fairer to the trainee. I am aware of trainees who could prepare an excellent dissertation but be near to useless solicitors.
8	I presume you mean before the formal application for completion - the quarterly reviews properly developed should track a trainee's progress and identify gaps etc
9	No response
10	No
11	No response
12	Independent assessment on the basis of 'fit for purpose' - i.e. a bit like an in depth job interview - at any stage where the trainee and their employer feel they are ready for it.
13	As above - at the end. Similar to those undertaken by surveyors?
14	The stage of the present PCC is fine although it might be appropriate to try some sort of early warning system for those who might otherwise fall at the final hurdle. The major problem is not so much with those who are inadequate lawyers but rather with those who have other personal failings which makes it difficult for them adequately to practice (as opposed to study) the law. A presentation followed by an interview to and by a panel appears the least worst option to try and get at these cases if it is left to the Society to address this issue. More should however be demanded from Diploma providers who appear to simply ignore these issues as too difficult. If the Diploma is retained as a Gateway to the profession then it cannot be on the basis that it will, more or less, be awarded to anybody who enrolls and then turns up regularly.
15	No. Trainee solicitors have to go through more assessments, etc than just about any other profession. A written assessment is never going to replicate the actual transaction.
16	Yes, an examination nearing the end of the traineeship would be a good idea. Most of the suggested formats above could be considered as sound options.
17	to 20 = no responses
21	No



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22	No additional assessment should be required. The traineeship should expose trainees to the work they will be carrying out and allow their work to be monitored and checked (both for their and for their client's protection). It is not something that should be separately assessed (trainees having already sat and presumably passed a number of differing assessments). The obligation on trainers to refuse to "sign off" on trainees should be enforced, however, if they do not feel the trainee would be competent. In addition, the opportunity for trainees to bring deficiencies in their traineeship and the training they are receiving to the attention of the Law Society must be highlighted and welcomed by both the society and the profession.
23	Ongoing on a placement basis.
24	No response
25	No response
26	No - this simply provides another administrative burden, which will be a disincentive for trainees out with the central belt and will provide yet another area of work for which a trainee will expect to be paid, but for which the trainer (who will probably lose the trainee to higher paid areas of work or more glamorous geographic areas anyway) will not have any means of recovering that cost.
27	No, however independent assessment could be a beneficial option where the training solicitor is not prepared to sign off. Sign off could come from the training partner rather than the solicitor, if the partner is the one who has been trained to assess competence.
28	to 30 = no responses
31	An exit exam would be a good option, but perhaps difficult to enforce unless the Society were categorising traineeships and prescribing different exams based on that. I believe making the logbooks and quarterly performance reviews more of an ingrained part of the trainee's daily working life could also be very beneficial if the profession were on board with this idea.
32	No response
33	No
34	There should be triangulation: self-assessment by trainee, assessment by supervisor, and a third party assessment to ensure fairness, reliability, validity.
35	No response
36	No response
37	Assessment should be left to the employing firm but with clearer guidelines from the society on standards to be attained



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<b>Question Number:</b>	<b>Q28</b>
<b>No of responses:</b>	<b>13</b>
<b>Section Titles:</b>	<b>1. The Traineeship (cont.)</b>
<b>Question Text:</b>	<b>What evidence from the practise of the trainee might be considered appropriate?</b>

1	Any documents that have been drafted, correspondence to and from clients and other solicitors, records of telephone conversations and meetings.
2	Portfolio of work & transaction experience.
3	to 5 = no responses
6	Log books, evidence of casework in chosen field.
7	Letters of advice, articles prepared, complex drafting, feedback from colleagues and clients
8	360 degree feedback from colleagues, clients and other solicitors who have experience of the trainee's performance
9	to 12 = no responses
13	Examples of contracts/deeds negotiated, case file showing transaction carried through correctly
14	No response
15	Performance over a period of time. Progression from day 1 to the end of the training contract.
16	to 20 = no responses
21	Key tasks in the area of law that they have been based in
22	No response
23	Transactional - questions of confidentiality aside. The Surveying profession have used portfolios effectively but I do believe that some form of Training centre approach would assist in having common standards applied.
24	to 31 = no responses
31	Per my responses to the main questionnaire, it could be difficult to include actual examples of work. Firstly, the confidentiality aspects might hinder this, and firms are often very protective of their styles and ways of working. In addition as trainees seldom carry out full transactions themselves or without work that needs corrected, the portfolio could end up involving a lot of work but show very little of how the trainee has improved. However, referring to specific files and using dates and narrating issues encountered and how they were solved (with comments from trainee and supervising fee earner) as part of the logbooks/quarterly performance reviews could be as helpful as the portfolio.
32	No response
33	No response
34	Virtually all of it!
35	No response
36	No response



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<b>Question Number:</b>	<b>Q30</b>
<b>No of responses:</b>	<b>19</b>
<b>Section Titles:</b>	<b>2. The Professional Competence Course</b>
<b>Question Text:</b>	<b>How could this element be made more effective?</b>

1	to 5 = no responses
6	No comment
7	I can offer little support to the PCC. Feedback from my firm's trainees indicates it adds little to the training they get in-house although some of the more practical elements are helpful (e.g. drafting). Topics such as client care are discussed in far more detail back at the firm. I appreciate this may not be true for all trainees.
8	I doubt that it can be given that the Law Society writes the content, the employers pay for it and the trainees 'endure' it
9	Abolition. It is seen as an interference in the traineeship by trainees.
10	No response
11	No response
12	Scrap it and only retain as a fall back - see comments below. The PCC is really a waste of time, it adds nothing to the training and costs employers a lot of money (not to mention the time out of the office).
13	Not sure about this one - I agree with giving some additional form of training - particularly for those trainees in limited/small practice areas but I am not keen on the removal from the office for a period of time.
14	The PCC provides a considerable disincentive to small firms taking trainees. Ideally it would be phased over the length of the traineeship rather than taken as a single block. Nonetheless it does provide an important tool in ensuring that trainees are receiving appropriate support in their firms and for that reason, particularly, it should be retained in some form.
15	Some of the courses given on the PCC are a waste of time, such as time management. This type of course is common sense and should not be taught.
16	No response
17	No response
18	More emphasis on electives and less on the core skills which are covered in the Diploma. More emphasis on legal learning.
19	No response
20	No response
21	Tailoring to specific areas of law that trainees are intending to practice and covering core areas relevant to every solicitor - i.e. ethics
22	Trainee's time would be better spent in a work environment as opposed to spending 2 weeks "clowning around" on the PCC. The PCC, as offered by the GGSL, duplicates the diploma without adding anything of any significance. In particular, time is devoted to interviewing and negotiation - the time spent on these areas during the Diploma in Legal Practice was of little use and certainly did not require any reinforcement. Areas such as these require to be experienced rather than taught through role play and group discussions.
23	It can always be improved. Perhaps it should have more "teeth" as far as pass/fail is concerned.



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24	No response
25	By carefully reassessing the existing format and looking to effective changes having regard to the ever changing climate and technology, how other professions cater for their PCC and to see if any of their methods could be adopted/adapted to the benefit of the Law Society.
26	No response
27	Needs to be sufficiently tailored to cope with the variety of trainee work, while maintaining a focus on core skills. Needs to be able to cope with in-house work. As expense is involved in travel and accommodation on the course - particularly for trainees working in rural areas - alternative options such as online training, other distance learning or even video conferencing should be explored. However there are social and networking benefits for trainees in attending in person and meeting other trainees (particularly for those who work in small practices) so attendance in person should still be encouraged.
28	No response
29	It should be dropped entirely. It is a waste of time and money.
30	No response
31	I have already said that many trainees realise how relevant the Diploma in Legal Practice was during the traineeship. The PCC is a great way to further those skills learned. However, it is costly and could be a deterrent to some small firms offering traineeships, which is my only negative comment about it. If there were some way to ensure trainees built on their knowledge but did not have to attend an actual course, for example by putting learning materials on-line, and the cost was marginal, this would be well received by many training firms in my opinion.
32	No response
33	Less prescriptive, allow firms to tailor within broad headings.
34	The place of the PCC very much depends on its context. What will a new first stage look like? A revised traineeship? The PCC was one answer to a late-twentieth-century problem. Let's revise the whole structure, then consider whether a PCC in any amended form is required.
35	No response
36	Type response here
37	No it is very difficult to combine this course with on the job office training and much of it is overlap with the diploma



<b>Question Number:</b>	<b>Q31</b>
<b>No of responses:</b>	<b>16</b>
<b>Section Titles:</b>	<b>2. The Professional Competence Course</b>
<b>Question Text:</b>	<b>Are there alternatives to the PCC that should be considered?</b>

1	I don't think it is necessary at all. If a replacement is deemed required, an element of CPD should be used.
2	to 5 = no responses
6	No comment
7	Reduce it to cover very practical areas such as drafting.
8	Trainees and training firms should be allowed to demonstrate that they are covering all of the areas currently prescribed
9	The PCC should be replaced by a requirement to undertake regular CPD throughout the traineeship, with a few compulsory courses (ethics, perhaps Client Care) and other courses chosen by the trainee in conjunction with the employer. This would provide proper education in subjects in which the trainee has a real interest and therefore a degree of enthusiasm. I have taught most courses on the PCC and it is clear that it is not taken seriously by the trainees, and is, mostly, regarded as un-necessary. People will learn only what they really want to learn.
10	No response
11	No response
12	The PCC could be a useful 'fall back' for trainees - if they feel they have not received a good training and the law society/ other independent assessor agrees, they could be able to force their employer to pay for additional training.
13	to 17 = no responses
18	Yes.
19	to 21 = no responses
22	The PCC should be abandoned and not replaced.
23	It has taken a long time to get to this stage so perhaps worth pressing on with it and giving it a chance. The bottom line perception is however that it is quite easy to pass through the LLB/Diploma and PCC/Traineeship stages and the net effect is seen as being patchy. To be fair however, some of that is down to vastly different approaches in the teaching of law at undergraduate level. I can only speak for Conveyancing where the difference in approach across Universities is staggering. In [text removed], I am currently lecturing to Diploma students on the practice of [text removed] who do not have an understanding of the theory of [text removed] - having last done [text removed] Law [text removed] in year 2. What hope do they have of having a really good understanding of a subject like [text removed]?
24	to 26 = no responses
27	PCC should be amended to become part of the Foundation course, as the traineeship should be integrated within the Foundation course. It could be a part which is undertaken after a period of work in practice.
28	No response
29	It is not necessary. Training within traineeship can easily cover all aspects that are required.
30	No response



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31	If an exam were introduced, this would have to replace the PCC. The exam could still deal with the same issues which the PCC did.
32	No response
33	Current English PSC
34	See above.
35	Sandwich courses at stages of the traineeship (similar to what is offered on the DLP now).
36	Type response here



<b>Question Number:</b>	<b>Q33</b>
<b>No of responses:</b>	<b>15</b>
<b>Section Titles:</b>	<b>3. Training Firms</b>
<b>Question Text:</b>	<b>Is there anything the Society can do to support training firms/organisations to a greater extent?</b>

1	No response
2	No response
3	The firms should not require to be accredited - this would kill off small firm traineeships. But partners and others involved in training should be strongly encouraged to do "trainer training".
4	No response
5	No response
6	No comment
7	Recognise that some take this seriously and do the job very well already. Others are guilty of failing our trainees.
8	Scrap the PCC and allow training firms and organisations to demonstrate the investment they make on a daily and ongoing basis
9	1 Make clear what they are supposed to be doing and provide learning assistance to them. 2 Consult with them on what CPD courses are necessary for trainees and make sure that appropriate courses are readily available.
10	to 13 = no responses
14	Although I favour accreditation of training firms it is imperative that this is light touch or it will simply act as a disincentive to taking trainees
15	to 20 = no responses
21	Funding/Donations to help with costs
22	No response
23	Train the trainers
24	Difficult to see.
25	No response
26	Cut down on the administrative burden so that smaller firms can take on trainees which is very often the only method they have of trying to recruit staff who will one day be qualified.
27	Training for trainers and training partners. Good, practical, detailed guidelines. Perhaps supporting and offering a portal for firms to share responsibility for trainees, to encourage exchange programmes which provide trainees with experience in other areas of work - e.g. in house or litigation. Making the traineeship assignment process a lot more painless for both firms and trainees. Day to day support.
28	No response
29	Get rid of PCC
30	No response
31	I believe the Society is proactive in letting the profession know that they can approach the Society with regard to training matters. However, the Society could use alternative methods of disseminating useful information to training firms.
32	No response



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33	Set guidance
34	No response
35	No response
36	Type response here



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<b>Question Number:</b>	<b>Q34</b>
<b>No of responses:</b>	<b>18</b>
<b>Section Titles:</b>	<b>3. Training Firms</b>
<b>Question Text:</b>	<b>Do you have any views on how the Society could encourage a greater number of firms to take trainees?</b>

1	No response
2	No response
3	Above all, the society must not impose further bureaucracy that would deter small firms from taking trainees.
4	No response
5	No response
6	Sharing the costs, but would need to ensure that the training and supervision meets the existing/new standards
7	No response
8	Demonstrate the benefits that employing trainees can bring through the development of specific real life examples
9	1 Have an awards scheme for innovation in training, small firms, etc (not a Best Training firm, but widely spread) 2 Approach non-training firms (or firms who could be training more than at present) individually to persuade them of the value of trainees to their firm. 3 Abolish the PCC and make sure that good quality CPD relevant to the training firms is readily available.
10	No response
11	Partners who are carrying out the training could be exempted from undertaking CPD during the period they are training the trainee as an incentive saving them time and money. The training firm could be exempted from having a law society audit if one is due during the period they are training a trainee (but which audit would be deferred to a later date) allowing the firm to concentrate on training instead of preparing for an audit. Other such incentives which would not necessarily cost the society money but would be of benefit to busy practitioners would encourage more to take on trainees.
12	No response
13	No response
14	Trust the market!
15	No response
16	I think this should (and will) be left up to market forces.
17	No response
18	Road shows to show firms how valuable a trainee can be.
19	No response
20	No response
21	Highlighting benefit of having trainees in their firm at an early stage in career, can mould trainee to their specific requirements, trainees are more likely to remain loyal to them etc.....
22	It should be borne in mind that there ought to be a limit on the number of traineeships offered. While it is unfortunate that individuals obtain the Diploma in Legal Practice but do



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	not secure a traineeship, it should be up to the providers of the Diploma in Legal Practice and LLB and the Law Society to ensure that these courses are not oversubscribed. Places on these courses should be limited to the number of traineeships that are likely to be offered (based on the numbers offered in previous year's and growth estimates) as the profession can, in reality, only absorb so many new trainees each year.
23	No response
24	The market will rule.
25	No, as at present supply and demand will remain the determining factor but see below.
26	Bear in mind that a trainee is a considerable burden on the finances and time resources of smaller high street practices with very little return when the trainee is working there and potentially no return at all if the trainee leaves. Try to ease the financial and administrative burden.
27	Offer a discount on practising certificates for training firms/ charge more for non trading firms. Publish directory of training firms, which would allow firms to market themselves to potential trainees and provide an information source for the potential trainees - win-win.
28	No response
29	Lower salary scale
30	No response
31	Encouragement would certainly be needed if an accreditation scheme were brought in, which I think would be useful, but which could act as a deterrent in the first instance and would have to be carefully managed.
32	to 34 = no responses
35	The difficulty is that some firms who now take trainees will not do so if they are to be subject to accreditation etc. Encouraging smaller firms to take trainees may prove difficult unless there is to be some 'reward' or 'monetary assistance' like, for example vocational training in dentistry.
36	Type response here



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<b>Question Number:</b>	<b>Q35</b>
<b>No of responses:</b>	<b>24</b>
<b>Section Titles:</b>	<b>3. Training Firms</b>
<b>Question Text:</b>	<b>At present, traineeships are offered in only a few firms and organisations which bear the full costs of training, but the entire profession ultimately benefits by being able to employ qualified assistants trained by other firms. Should the cost of training be spread more evenly across all firms, for example by a levy on all practises to fund trainee salaries? Do you have other ideas?</b>

1	I don't think this is necessary - in my experience, trainees earn a lot more for their firms than their meagre salaries would suggest.
2	No response
3	This would not work. The effect might be that small firms who don't take trainees because they can't afford it contribute to the training budgets of large firms which can afford to (and which make lots of profit from doing so).
4	No response
5	No response
6	See above
7	Payment to the training firm by those firms engaging NQ solicitors?
8	Yes, firms could apply to become 'training firms' and receive an annual payment in return if the PCC is not scrapped, then firms could apply for 'exemption' from it by demonstrating their investment
9	No. The firms who take on trainees do so out of commercial reasons, not because of the good of the profession. Country firms, small firms etc do not attract assistants from the current crops of trainees, and need new sources of solicitors from among paralegals.
10	No response
11	Although the training firms bear the full costs of training, they are only paying a small salary to someone who is probably carrying a fairly full workload and benefiting the training firm much more in value terms. Therefore I do not see that the training firm is hard done by as they are getting more for their money for the training period of 2 years.
12	Leave the system as it is - it provides market led training, and with competition for places it ensures that the most committed and able people are taken on and trained up. It would be more pertinent to tackle issues of discrimination and elitism in terms of opening the profession up to a wider workforce.
13	No response
14	No. Firms take trainees in the belief they will make them money in the long or even short term. They are not wrong. The one exception that might be worth considering is in the field of assignation by second year trainees against the wishes of the initial employer. Then, the assignee firm might have an obligation to pay some compensation to the original training firm.
15	No response
16	See above.
17	No response
18	Yes
19	No response



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20	No response
21	No - unfair to levy on smaller firms. Funding/Donations may be a way to compensate firms who take the burden of training.
22	The firms and organisations that offer traineeships also benefit by having a member of staff to carry out work - often at a very low price. Although the profession as a whole benefits from being able to employ qualified assistants, it is incorrect to suggest that the motives of firms and organising traineeships are in any way altruistic. If it did not make commercial sense to offer a traineeship, firms simply would not do it.
23	Good idea. A levy might encourage more trainees to be taken on the basis if I have to pay for it anyway, I had better do it.
24	No.
25	If a levy was imposed on all firms this might encourage firms to take on trainees, more graduates would have the opportunity to gain traineeships and ultimately the profession and society as a whole could be the benefactors.
26	Agree strongly with the levy
27	Do not think full cost sharing is fair as training firms benefit financially from having trainees - e.g. through fee income from work done by trainees. However see suggestion above re practising certificate discount.
28	No response
29	Yes spread the cost.
30	No response
31	The training firm, if it is training the solicitor properly, also BENEFITS from the work the trainee does for the firm. In many cases trainees are especially competent by the second year of training. I do not think the entire profession should fund trainee salaries. Actually I think the firm pays the trainee to do a job, and the trainee is probably doing more of a skilled job than the salary would suggest, even from early in the traineeship, Consequently if anyone should fund or ultimately increase the trainee's salary it should be the training firm who benefits from that. Therefore I do not think other firms should contribute to the salary. On the other hand, trainee solicitors would probably rather the Diploma in Legal Practice were less costly, than be paid more during the traineeship. Trainee solicitors appreciate that they are still learning during the traineeship. However, is there cause for the entire profession helping to fund the cost of the Diploma, since the entire profession ultimately benefits from the skills taught on the Diploma? No one particular firm benefits from that, and the Diploma is therefore different to the traineeship in that regard.
32	No
33	No response
34	Well, the concept of the -- unfortunately named -- training levy sank without trace a while back, but I think that the cost of training should be spread across the profession.
35	What do firms want? A fully qualified, competent solicitor. If there is a levy to be paid should this be on a ratio? If small firms can't/won't take trainees, but want assistants should they pay a 'transfer' fee to the training firm?
36	Type response here



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<b>Question Number:</b>	<b>Q36</b>
<b>No of responses:</b>	<b>16</b>
<b>Section Titles:</b>	<b>3. Training Firms</b>
<b>Question Text:</b>	<b>At present, in-house solicitors account for around 27% of the profession, but only around 8% of traineeships. Are there ways the Society could make traineeships more attractive to this sector?</b>

1	to 5 = no responses
6	Marketing! Find out why they don't want to do! "Encourage" public sector via Sc Exec! And private/corporate sector via benefits to trainee/society etc!!
7	No response
8	One difficulty is providing a wide variety of training areas, so the use of secondment to other firms or organisations could be encouraged
9	Approach individual and u-training organisations individually and emphasis the value of trainees, but no commercial assistance for this is justified. Anyway, while it is clearly easy for solicitors trained in private practice to move into in-house jobs, it is probably difficult for solicitors trained in in-house jobs to move into private practice, so you could be creating a problem by increasing training in non-private practice organisations.
10	No response
11	I can't see how trainees would develop as all-round legal brains by training in house unless the organisation training them had different departments covering different areas of law for training purposes.
12	Open up access to the profession to a more diverse workforce - enable mature entrants with other business and life experience to join the profession as they will bring different and valuable skills. Tackle issues of nepotism and old boys' networks to ensure that only the really able (and not just the financially able or well connected) people have access to these jobs as they will be able to hit the ground running and add value to firms from a very early stage.
13	No response
14	There is some merit in eventual in house lawyers having experience of the wider profession before going "in house" so the current distribution of trainees is not necessarily something to be remedied.
15	to 17 = no responses
18	This would be an excellent plan, but I am not sure how one goes about it.
19	No response
20	No response
21	Again, highlighting benefits of taking trainees at an early stage in their career.
22	No response
23	No response
24	Difficult to see.
25	If a levy is to be compulsory for firms including in-house organisations, then the above remarks might have some bearing.
26	Little specifically to do with education, but press for improvements to the lot of private practice to allow that sector to compete with the in-house sector.
27	See suggestion above re practising certificate discount. Allow traineeship to be tailored for in-



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	house and ensure degree and Foundation course provide the skills required to work in house instead of focussing on private practice. Also focus on skills-based traineeship and reduce requirements re providing a particular range of practice areas, where the organisation cannot provide this range (or encourage secondments to private practice firms who can provide a particular practice area). Encourage "grow your own assistant" approach.
28	to 35 = no responses
31	In-house organisations and local authorities should continuously be made aware that in-house positions are sought after post-qualification, and that there is no requirement to have a particular breadth in traineeship, therefore the benefits of taking on a trainee are immense. The Society already does this, of course.
32	No response
33	No, Solicitors should be trained in law firms to gain broad experience before going in-house.
34	No response
35	I think students want a traineeship and are willing to undertake that traineeship where necessary. I think funding plays a part, especially in the public sector. In-house training in banks, insurance etc requires something that these institutions find attractive - perhaps another look at subjects on the Diploma?
36	Type response here



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<b>Question Number:</b>	<b>Q37</b>
<b>No of responses:</b>	<b>14</b>
<b>Section Titles:</b>	<b>Final Comments</b>
<b>Question Text:</b>	<b>Do you have any final comments?</b>

1	Raise the minimum trainee salary! It is pitiful salary for a willing potential-lawyer who has spent the last 5 years of their life studying to join the profession. It is disheartening to see the vast majority of graduate salaries leaving ours behind in the dust. If solicitors are valued members of society and are expected to provide such a professional service, why does the trainee salary not reflect this? Trainees are feeling undervalued and this has a negative effect on both trainee and training firm alike.
2	to 5 = no responses
6	Thanks for asking - hope it helps!
7	No
8	This section of the consultation seems to ask for much more free comment on content that earlier sections.
9	You have not covered the important field of post-qualifying CPD, a major omission. It is vital that, in future, solicitors are qualified to do what they do, and, at present, there are only minimal restrictions on what a solicitor can do in practice. There is a need to move towards a profession which requires every practitioner to be certified to practice in every field in which he/she actually practices. This qualification starts with the training of the solicitor and we need to start now with a procedure which will allow us to say, in say 5 to 10 years, that every conveyancer/court practitioner/ corporate lawyer or whatever has had appropriate training in that area of the law and is qualified to practice in that area of the law. We have, by law, prevented non-solicitors from providing certain legal services. But we do not prevent poor or non-expert solicitors from providing the same services. (That is a quote, but I have not noted who first said it - nevertheless, I completely agree with it). It is also imperative that CPD training should be properly regulated, which it is not at present. If the PCC is abolished (as it should be) and replaced with a CPD requirement, then the accreditation of providers is essential. If the Diploma is abolished (as it should be) and replaced by an extra year of training with regular CPD, the case for accreditation is even stronger. There is also a need to make CPD training properly geared to what a solicitor is doing and much more extensive than at present (e.g. 40 hours minimum properly recorded and checked - that's what computers are for). A solicitor having achieved certification as, say, a conveyancer, should need to be re-certified as such every 5 years, by examination if necessary (although alternatives to that should be found).
10	No response
11	No response
12	Alongside the training elements, there are underlying issues of access to the profession, recognition of other work and life experiences outside of the legal profession box, and tackling discrimination and nepotism. If these underlying issues can be tackled, the workforce would be more diverse and better prepared for future changes to the profession.
13	to 15 = no responses
16	At the moment, the interests or views of LLB/DipLP/Trainees are not met by the Law Society of Scotland within its committee structure. [Text removed] is currently a fairly ineffectual body



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	<p>whose strengths lie with the organisation of social events rather than effectively representing the interests of trainee solicitors. It seems strange that this is the case especially once the prospective solicitor begins the period of professional legal training at the Diploma stage. Although not a directly comparative organisation, the British Medical Association's committee structure includes both a 'Junior Doctors Committee' and a 'Medical Students Committee' which allows the views of those respective groups to be fed into the BMA's policy-making procedures. Therefore, I would suggest that the creation of a Trainee Solicitors Committee within the Law Society's Committee Structure would be a prudent move in terms of engaging with prospective solicitors (at the pre-qualification stage) in order to counter negative views of the governing body which seem to form at any early stage (possibly due to low trainee wages and general apathy). The members of the Committee could be drawn from the Diploma providers or by alternative means.</p>
17	No response
18	No response
19	<p>I work in a [text removed] organisation that takes in a modest number of trainees, so I have very occasionally had dealings with them but have no detailed knowledge in this area. In case, however, it is helpful to have some thoughts prompted by the questions and unswayed by practical experience! - Evidently some students take the LLB and then do not secure funding for the DLP, others obtain a DLP but do not secure a training contract. There seems an issue here about how far it is right to lead people down a garden path and then close the garden gate at the end of it (while acknowledging that some will take an LLB without the intention of qualifying thereafter). - There is a tension between setting minimum levels of salary, conditions etc and allowing people to benefit from a traineeship. The higher the salary etc imposed the fewer the number of places. The underlying issue is perhaps on what grounds would the Law Society intervene to impose salary and condition levels beyond those imposed by existing employment legislation (minimum wage etc). - On the discrepancy between traineeships in private practice and elsewhere, I suspect there are two factors: 1. trainees are a source of profit to private firms in a way that does not apply in the public sector; 2. some public sector organisations may not believe themselves able to offer a wide enough experience. On the latter, I wonder if there is scope for 'portfolio' traineeships where trainees could move from one organisation to another and accumulate experiences. This may happen to an extent already (I believe [text removed] takes a very few trainees for short periods each year on secondment from [text removed]) but perhaps could be more formalised - the difficulty might be the lack of an overseeing 'devil-master'. To give a concrete example, I have been dealing with legislation on [text removed] recently and could imagine that a trainee 'seat' for a period of time with the main NGO involved in [text removed] could have been helpful to the organisation (which has very experienced legal officer) and very broadening for the trainee.</p>
20	to 22 = no responses
23	None other than the system does need an overhaul - even with the PCC.
24	No
25	No response
26	No response
27	<p>A key objective should be consistency of quality. Respect for trainees should also be an objective - often trainees are not treated with respect - they are considered the lowest of the low. Improvements to the degree and Foundation course could however help to improve respect and competence, as could the encouragement of summer or other mid-degree placements (without necessarily making these mandatory). [Text removed].</p>
28	No response
29	Drop PCC. Please
30	No response
31	<p>The traineeship is the period in which prospective solicitors learn the most about how to be a solicitor. There should definitely be a period of in office training, and two years is the right length of time. The qualification process is already as much as seven years long, and making it longer could potentially act as a deterrent to many people who may already be dissuaded</p>



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	from entering higher education because of the abolition of grants and the introduction of graduate endowments. This could be true unless the increase in length brought with it an increase in salary - which I believe is unlikely if the profession viewed the increase in length of traineeship a result of the Society deciding we are not seeing competent solicitors after only two years.
32	to 35 = no responses
36	The Faculty remains of the view that a period of supervised workplace training is necessary for professional formation. The Faculty considers that the Law Society should set the duration of the training period for qualification as a solicitor. The Faculty considers that the regulation of training firms is a matter for the Law Society and for that reason does not consider it appropriate to offer comment on that section of this consultation exercise.