

Welcome to the Law Society of Scotland's Education and Training Consultation

This is the questionnaire on **PEAT Stage 2 (Traineeship + PCC)**

Click 'next' at the bottom right of the screen to be taken to the instructions

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Education and Training Consultation

Initial feedback on responses – quantitative results overview

INTRODUCTION

Thank you for your continued interest in this project. Attached is an initial print-out of the data we have received – it is currently in a quite crude format, simply overlaying percentage responses on top of the original questionnaire. We wanted to make this available immediately to allow people to see what their colleagues have said and to make each stage of our decision making transparent to all involved. A significant amount of work will be undertaken over the coming weeks to provide a more sophisticated statistical analysis and to provide a clearer and more accessible reporting format.

Free-text comments are currently being collated. We need to group these into meaningful categories and then remove any comments (or parts of comments) which might identify a particular individual – these results will be made available to the committee but will not be displayed publicly to protect an individuals anonymity. This process may take some time due to the volume of results, but once the process is complete they will be available in .pdf format to download from our 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
- The document is in a standard .pdf format. Please note that the 'buttons' on some pages such as 'next page' and 'submit' are legacy items from the original questionnaire and will not operate in this .pdf report format
- More responses may be added to the final data set which the relevant committee will consider, as we have notification of some responses in development, but not yet received
- Much of the evidence will be examined in light of cross-tabs and other higher-level statistical analysis (for example, comparing the views of different groups, perhaps clients and solicitors, on a topic such as client care)
- **The Society is NOT currently at the point of endorsing any views in these results**, however high the agreement levels. 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.

Please read the four-page background paper on the consultation website (<http://www.lawscot.org.uk/training/consult>) before completing this questionnaire. **We would also encourage you to read the detailed supporting documents in this area**

Please **DO NOT** complete this questionnaire if you have not already completed the 'Main Questionnaire' (available on the consultation homepage) - this will allow you to give feedback on the overall route to qualification which is vital to put your later responses here into context

REMEMBER what happens at one stage affects all of the others (for example, if you remove property law from the undergraduate syllabus, this would change how conveyancing is taught in the Diploma, and what can be expected of a trainee at the start of their traineeship)

Answers are submitted in confidence. The Society will not report in a way that identifies individuals or organisations

The questionnaire is divided into three sections:

- The Traineeship
- The Professional Competence Course
- Training Firms

If you complete only the 'tick box' options (which give us a vital overview of the views of the profession) **the questionnaire should take about fifteen minutes to complete** - a 'progress bar' at the bottom of the screen will keep you up-to-date with how far through you are

We are aware that many people may want to express more detailed responses - and so there are opportunities at every stage to offer free-text comment (the boxes will accept up to 10,000 characters - plenty of space for comment). However, these are optional - the most important thing is that you progress right through the questionnaire

Once you complete each page click the 'next' button at the bottom left of the screen to progress to the next set of questions

Technical issues - the questionnaire should appear in a web-browser window, filling the screen (although it may require you to scroll up and down). It should NOT require you to scroll side-to-side. If you have any technical issues please contact your inhouse IT team, or if necessary us (consult@lawscot.org.uk) for the correct settings for your machine. Once you complete each page click the 'next' button at the bottom left of the screen to progress to the next set of questions

THANKS for your time in helping us with this important review

CONTACT & DEMOGRAPHIC INFORMATION

On the following page we ask you some basic information about you. This will not be made public but is being collected to enable the Society to best understand the data it receives from this study. We want to ensure a response representing a wide cross section of legal and non-legal opinion. For example, we wish to collect information from the full spectrum of the legal profession, from LL.B. students through to partners and senior solicitors in the in-house sector, and our colleagues such as advocates and judges. However, equally important is ensuring a response from non-solicitors/lawyers, including those who use legal services, with an interest in legal education and training. In order to ensure we achieve this we need to know something of your involvement with the law and the legal profession.

Are you responding as:

<i>an individual</i>	94.4%
<i>an organisation</i>	5.6%

Click next to progress to the questions on this topic

CONTACT INFORMATION (Organisations)

Name of Organisation:

100.0%

Contact Name:

100.0%

E-mail address:

100.0%

NOTE: Organisations submitting a response **MUST** have completed the main (overview) questionnaire and agreed to the terms in conditions contained in it. These include that organisational responses represent the official policy position of the named organisation, that the respondent has authority to submit an organisational response, and that full details of the response can be made public

Please confirm:

that the main questionnaire has been completed and acceptance of the above terms100.0%

CONTACT INFORMATION

Name:

94.1%

E-mail address:

91.2%

Contact Phone Number:

85.3%

DEMOGRAPHIC DATA

Which statement best describes your main current role:

<i>Private Practice - Trainee</i>	5.9%
<i>Private Practice - Assistant</i>	8.8%
<i>Private Practice - Associate</i>	0.0%
<i>Private Practice - Senior Associate</i>	2.9%
<i>Private Practice - Salaried Partner</i>	0.0%
<i>Private Practice - Equity Partner</i>	26.5%
<i>Private Practice - Consultant</i>	2.9%
<i>In-house - Trainee</i>	2.9%
<i>In-house - Assistant</i>	5.9%
<i>In-house - Manager (or equivalent)</i>	0.0%
<i>In-house - Director (or equivalent)</i>	0.0%
<i>Judge / Tribunal Chair</i>	0.0%
<i>Advocate</i>	0.0%
<i>Paralegal</i>	0.0%
<i>Client / member of the public</i>	0.0%
<i>MSP (Member of the Scottish Parliament)</i>	0.0%
<i>MP (Member of Parliament)</i>	0.0%
<i>MEP (Member of the European Parliament)</i>	0.0%
<i>Scottish Executive / Civil Service</i>	5.9%
<i>Citizens Advice Bureau / public advice service</i>	2.9%
<i>Consumer Group Representative</i>	0.0%
<i>University - Academic</i>	5.9%
<i>University - Solicitor</i>	5.9%
<i>Student - LL.B.</i>	0.0%
<i>Student - Diploma</i>	2.9%
<i>Lawyer - other jurisdiction</i>	0.0%
<i>HR Professional</i>	0.0%
<i>Education / Training Professional</i>	8.8%
<i>Other UK profession (doctor, accountant, etc.)</i>	0.0%

How many SOLICITORS work in your organisation (if you do not know exactly an estimate will still help guide us) ?

<i>None or N/A</i>	14.7%
<i>1 to 5</i>	14.7%
<i>6 to 10</i>	5.9%
<i>11 to 20</i>	14.7%
<i>21 to 30</i>	2.9%
<i>31 to 40</i>	0.0%
<i>41 +</i>	35.3%
<i>Don't know</i>	2.9%

How many years Post Qualification Experience (PQE) do you have ?

<i>N/A</i>	23.5%
<i>1 to 3</i>	11.8%
<i>4 to 6</i>	8.8%
<i>7 to 9</i>	5.9%
<i>10 to 15</i>	0.0%
<i>16 to 20</i>	2.9%
<i>21 to 25</i>	14.7%
<i>26 to 30</i>	11.8%
<i>30 +</i>	5.9%

Are you involved in any/all of the following educational activities:

<i>teach on an LL.B. programme</i>	11.8%
<i>an external examiner for an LL.B. programme</i>	5.9%
<i>a tutor on a Diploma in Legal Practice Course</i>	32.4%
<i>supervisor of trainees</i>	17.6%
<i>involved in the delivery of other legal education programmes (PCC)</i>	23.5%
<i>a member of the Council/Committees of the Law Society</i>	29.4%

1. THE TRAINEESHIP

The current traineeship allows for a period of supervised practice of two years prior to someone being finally signed off as a solicitor. It is an opportunity for the trainee to test and develop the skills they have learnt in early stages of training in a supportive environment and a final opportunity for the profession to assess an individual's ability.

This section examines whether a traineeship or other period of monitored working is required and what the essential elements might be.

Click 'next' to progress to the questions on this topic

1. THE TRAINEESHIP

1A. CORE VALUES OF THE LEGAL PROFESSION (Cont.)

FORM OF TRAINEESHIP - Please provide your views on the following statements:

	<i>Strongly Agree</i>	<i>Agree</i>	<i>Neither</i>	<i>Disagree</i>	<i>Strongly Disagree</i>	<i>No Comment</i>
A period of supervised workplace practice is required before someone receives final confirmation of solicitor status	83.3%	13.9%	0.0%	0.0%	0.0%	0.0%
The option of applying for admission after one year to allow trainees to appear in court should continue to be allowed	47.2%	33.3%	13.9%	0.0%	0.0%	2.8%
The Society should specify the length of a traineeship	47.2%	33.3%	5.6%	8.3%	0.0%	0.0%
Some dispensation of time should be given to trainees with previous experience of working under the supervision of a Scottish solicitor (for example, as a paralegal)	22.2%	47.2%	8.3%	13.9%	2.8%	2.8%
No length should be specified - the training firm should assess when the trainee is ready for solicitor status	2.8%	0.0%	11.1%	47.2%	36.1%	0.0%
No length should be specified - an independent assessment should assess when the trainee is ready for solicitor status	11.1%	11.1%	13.9%	36.1%	25.0%	0.0%

1. THE TRAINEESHIP (*cont.*)

CONTENT OF TRAINEESHIP

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 a solicitor's office ?**

75.0%

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 ?

80.6%

Should the Society specify **mandatory 'core skills'** to be attained through the traineeship ? If yes, what should they be ?

80.6%

Should the Society specify **mandatory 'core knowledge'** to be attained through the traineeship ? If yes, what should they be ?

69.4%

Should the Society specify **mandatory areas of practical legal experience** to be attained through the traineeship ? If yes, what should they be ?

75.0%

1. THE TRAINEESHIP (*cont.*)

ASSESSMENT

This section looks at assessment of the traineeship, asking questions on the three current techniques:

- 1. Quarterly Performance Review** - The trainer and trainee meet every three months to discuss progress and set objectives. The trainee is scored against nine criteria and is given an overall competence rating, the results are nationally collated and monitored
- 2. The Log books** - These are provided in around 25 core areas and act as an aid to trainer and trainee as to the types of work that it may be appropriate to cover in relation to a particular area of law. Experience is recorded, primarily in 'tick-box' form, logging exposure to different areas of work
- 3. Discharge of Training Contract** - at the end of the traineeship full responsibility lies with the training firm to make an assessment, and certify, that the trainee is a 'fit and proper' person to enter the profession

What experience do you have of these assessment methods:

<i>I am a current trainee, being assessed by these tools.....</i>	<i>8.3%</i>
<i>I am solicitor; I was assessed using these when I was a trainee.....</i>	<i>13.9%</i>
<i>I have used these as a trainer / supervisor.....</i>	<i>30.6%</i>
<i>I have not used these particular tools, but have experience of similar methods ...</i>	<i>13.9%</i>
<i>No experience, but would like to review questions in this area</i>	<i>22.2%</i>
<i>No experience, I would prefer to skip these questions.....</i>	<i>19.4%</i>

1. THE TRAINEESHIP (*cont.*)

QUARTERLY PERFORMANCE REVIEW - Please provide your reaction to the following statements:

	<i>Strongly Agree</i>	<i>Agree</i>	<i>Neither</i>	<i>Disagree</i>	<i>Strongly Disagree</i>	<i>No Comment</i>
It is easy to use	27.6%	37.9%	3.4%	3.4%	0.0%	20.7%
It is an effective aid to learning and development	6.9%	27.6%	13.8%	24.1%	13.8%	10.3%
It is an effective method of assessing progress	6.9%	24.1%	20.7%	24.1%	13.8%	6.9%
It is consistently used across all traineeships	3.4%	10.3%	13.8%	31.0%	13.8%	24.1%
It helps to ensure consistency across all traineeships	3.4%	13.8%	17.2%	37.9%	13.8%	10.3%
It helps to ensure the standards of those entering the profession	6.9%	6.9%	17.2%	31.0%	20.7%	13.8%
It should be retained in its current format	3.4%	0.0%	20.7%	41.4%	17.2%	13.8%

IMPORTANT - Please view note on page 2 before reading this document.

It should be **retained in an amended format**

6.9%

34.5%

24.1%

6.9%

10.3%

13.8%

How could this element be made more effective?

51.7%

Any other comments on the **Quarterly Performance Reviews?**

31.0%

1. THE TRAINEESHIP (*cont.*)

LOG BOOKS - Please provide your reaction to the following statements:

	<i>Strongly Agree</i>	<i>Agree</i>	<i>Neither</i>	<i>Disagree</i>	<i>Strongly Disagree</i>	<i>No Comment</i>
Are easy to use	10.3%	41.4%	10.3%	10.3%	0.0%	24.1%
Are an effective aid to learning and development	3.4%	24.1%	24.1%	20.7%	10.3%	13.8%
Are an effective method of assessing progress	3.4%	24.1%	31.0%	17.2%	6.9%	13.8%
Are consistently used across all traineeships	3.4%	10.3%	13.8%	31.0%	13.8%	24.1%
They help to ensure consistency across all traineeships	3.4%	13.8%	13.8%	31.0%	20.7%	10.3%
They help to ensure the standards of those entering the profession	3.4%	13.8%	10.3%	37.9%	17.2%	13.8%
They should be retained in its current format	0.0%	3.4%	27.6%	31.0%	10.0%	24.1%

IMPORTANT - Please view note on page 2 before reading this document.

They should be **retained in an amended format**

3.4%

27.6%

27.6%

10.3%

3.4%

24.1%

How could this element be made more effective?

41.4%

Any other comments on the **Log Books**?

27.6%

1. THE TRAINEESHIP (*cont.*)

DISCHARGE OF TRAINING CONTRACT - Please provide your reaction to the following statements:

	<i>Strongly Agree</i>	<i>Agree</i>	<i>Neither</i>	<i>Disagree</i>	<i>Strongly Disagree</i>	<i>No Comment</i>
It is appropriate that the training solicitor has the final say on whether an individual proceeds into the profession	20.7%	37.9%	20.7%	17.2%	0.0%	0.0%
At the end of the traineeship there should be a formal, written, essay-based exam on one or two chosen areas of legal practice	0.0%	10.3%	20.7%	34.5%	27.6%	3.4%
At the end of the traineeship there should be a problem / transaction based written exam on one or two chosen areas of legal practice	0.0%	31.0%	17.2%	31.0%	17.2%	0.0%
Completion of the traineeship should be dependent on the submission and assessment of a dissertation on a chosen area of law	0.0%	0.0%	10.3%	34.5%	44.8%	6.9%
Completion of the traineeship should be dependent on the assessment of a presentation to an assessment panel	0.0%	17.2%	24.1%	27.6%	24.1%	0.0%
Completion of the traineeship should be dependent an interview with an assessment panel	6.9%	31.0%	17.2%	27.6%	13.8%	0.0%
Completion of the traineeship should be dependent on the submission of a portfolio of specified evidence created by the trainee throughout the traineeship	10.3%	27.6%	13.8%	24.1%	20.7%	0.0%

IMPORTANT - Please view note on page 2 before reading this document

Do you believe that additional assessment is required? If so in what forms? At what stage in the traineeship should it be taken?

69.0%

What evidence from the practice of the trainee might be considered appropriate?

44.8%

2. THE PROFESSIONAL COMPETENCE COURSE

At present, all trainees are required to complete a Professional Competence Course (PCC), comprising 36 hours of core modules and 18 hours of electives. The course is ideally taken between six and eighteen months into the traineeship. The Society accredits providers of the PCC as either external providers (offering courses to all trainees) or internal providers (firms offering courses for their own trainees only). The PCC builds upon the knowledge and skills acquired during the Diploma and the traineeship. There is no formal assessment on the PCC.

This section of the consultation seeks views on whether the course should continue to be a feature of the traineeship in its current or amended form.

Click 'next' to progress to the questions on this topic

2. THE PROFESSIONAL COMPETENCE COURSE (PCC)

PCC - Please provide your reaction to the following statements:

	<i>Strongly Agree</i>	<i>Agree</i>	<i>Neither</i>	<i>Disagree</i>	<i>Strongly Disagree</i>	<i>No Comment</i>
It is an effective aid to learning and development	11.1%	22.2%	5.6%	22.2%	13.9%	19.4%
It is an effective method of assessing progress	2.8%	22.2%	13.9%	19.4%	16.7%	19.4%
It adds value to all types of traineeship	8.3%	19.4%	5.6%	22.2%	19.4%	16.7%
It helps to ensure consistency across all traineeships	5.6%	25.0%	5.6%	19.4%	22.2%	16.7%
It helps to ensure a core set of <u>knowledge</u> in those entering the profession	5.6%	30.6%	5.6%	22.2%	13.9%	16.7%
It helps to ensure a core set of <u>skills</u> in those entering the profession	5.6%	27.8%	5.6%	22.2%	16.7%	16.7%
It should be retained in its <u>current</u> format	5.6%	2.8%	19.4%	25.0%	22.2%	19.4%

IMPORTANT - Please view note on page 2 before reading this document.

It should be **retained in an amended format**

5.6%

25.0%

16.7%

13.9%

16.7%

16.7%

How could this element be made more effective?

52.8%

Are there alternatives to the PCC that should be considered?

44.4%

3. TRAINING FIRMS

The law firms and organisations that currently provide training places hold a particular position of responsibility within the system of qualification as a solicitor. They are the final stage and hurdle in the route to qualification and therefore the last structured opportunity to ensure that those who enter are 'fit and proper' to do so. They also control who can actually undertake that final stage of training, through who they choose to employ as trainees, and influence and shape individuals to a significant degree in the preparation for professional life.

The level of responsibility, and the implications for the profession as a whole, means that the role of training firms, as well as trainees, should be considered. The following page contains some key questions on their role.

Click 'next' to progress to the questions on this topic

3. TRAINING FIRMS

Please provide your reaction to the following statements:

	<i>Strongly Agree</i>	<i>Agree</i>	<i>Neither</i>	<i>Disagree</i>	<i>Strongly Disagree</i>	<i>No Comment</i>
A training firm should have to comply with a minimum set of standards in relation to terms and conditions of employment	52.8%	30.6%	0.0%	8.3%	0.0%	2.8%
A training firm should have to comply with a minimum set of standards in relation to salary	38.9%	33.3%	8.3%	11.1%	0.0%	2.8%
A training firm should have to comply with a minimum set of standards in relation to an clear training and supervision plan for any trainee	55.6%	30.6%	2.8%	2.8%	0.0%	2.8%
A training firm should have to comply with a minimum set of standards in relation to having qualified and competent trainers supervising trainees	52.8%	33.3%	5.6%	0.0%	0.0%	2.8%
A training firm should have to comply with a minimum set of standards in relation to the areas of law it can offer experience in	33.3%	27.8%	5.6%	19.4%	5.6%	2.8%
Training firms should be required to undergo a formal 'accreditation' or 'authorisation' process before being allowed to take trainees	22.2%	30.6%	19.4%	11.1%	8.3%	2.8%
Individual solicitors supervising trainees should be required to undergo a formal 'authorisation' process before being allowed to take trainees	11.7%	38.9%	11.1%	16.7%	8.3%	2.8%

3. TRAINING FIRMS (*cont.*)

Is there anything the Society can do to support training firms/organisations to a greater extent?

41.7%

Do you have any views on how the Society could encourage a greater number of firms to take trainees?

50.0%

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 practices to fund trainee salaries? Do you have other ideas?

66.7%

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?

44.4%

Any final comments?

Do you have any final comments?

38.9%

PLEASE NOTE - you need to follow the instructions on the next page to ensure the questionnaire is submitted

What next?

*Your responses will **NOT** be uploaded to the main database until you click the 'submit' button at the bottom right of this screen. PLEASE WAIT until you see the confirmation message before closing your browser; otherwise we cannot guarantee your responses will be logged.*

We also recommend that you keep a copy of your responses - to do so, click the 'print' button BEFORE submitting your response

For further details of this project and to complete further questions in relation to specific stages of training please log onto our consultation website at <http://www.lawscot.org.uk/training/consult>.