



CPD Requirements and guidance

Annual requirements

Solicitors and Registered European Lawyers (REL) to whom the Regulations apply will require to undertake a minimum of 20 hours Continuing Professional Development (CPD) in each practice year.

Of those minimum 20 hours, a minimum of 15 must be verifiable CPD. Up to five hours may be by private study.

From 1 November 2018 solicitors and RELs will be required to undertake mandatory CPD on risk management. The nature, extent and timing of this CPD will be contained in an annual subsidiary guidance note published at the start of each practice year.

The requirements are not reduced for solicitors/REL working part-time

Definition

CPD is defined by the Society as '*relevant education and study by a solicitor to develop his or her professional knowledge, skills, and abilities*'.

This can mean education and training relating to:

1. Specific updates on law, legal knowledge, or legal procedure;
2. Practice management skills;
3. Personal professional skills;
4. Ethics, attitudes and values; and
5. Development towards a particular career milestone.

Planning, record and reflecting

Solicitors are required to plan their annual CPD at the start of each practice year. Planning should take into account the learning needs of the individual solicitor and the sorts of development that he or she believes they need to undertake rather than focus unduly on exact activities on specific dates.

Solicitors are required to record the CPD they undertake in a practice year. Solicitors are encouraged to record any CPD hours they undertake over and above the minimum 20 hours.

Solicitors are required to reflect and be able to evidence this reflection, upon the CPD activity they undertake.

Solicitors are encouraged to do all of this in the Members' login area of the Society's website.

Method

The Society wishes solicitors to have as much control over their own personal development as possible.



Verifiable CPD

A minimum of 15 hours of CPD per annum must meet the criteria for verifiable CPD. By verifiable, the Society means that the CPD activity should meet the following criteria:

- (i) Have clear aims and outcomes relevant to the solicitor's professional development;
- (ii) Provide interaction and/or the opportunity for feedback;
- (ii) Be able to be evidenced; and (iv) Is not part of a solicitor's daily work.

The preparation and delivery of training is a very effective means of learning. Solicitors involved as lectures, tutors, or leaders in any form of relevant group study may count preparation time up to a maximum of four hours towards the verifiable CPD requirement in addition to actual preparation time.

Private study

Private study includes the reading of relevant periodicals, journals and books. No more than five hours private study per annum can be counted towards fulfilling the requirement.

The only exception is for those solicitors who write a relevant book or an article in a periodical (which is published). In such instances, the solicitor may claim up to ten verifiable hours of the minimum 20 hours for the practice year.

Double training relief

Solicitors who require to undertake compulsory training other than by reason of the Society's CPD requirements may count such training as part of the requirement for CPD in that particular practice year. This might include, but is not limited to:

- Practice Management Course: Solicitors who require to attend a Practice Management Course as per Rule D.2.2
- Extended Rights of Audience: Solicitors who require to attend a training course as per Rule C.4
- Solicitors undertaking CPD for another professional or regulatory body when such CPD is relevant to their development as a solicitor.

Monitoring and enforcement

Solicitors are expected to keep an accurate and up to date annual CPD record and will be required – upon request – to produce their record. The Society will study in detail a sample of a minimum of five per cent of solicitors on an annual basis to ensure compliance with the Regulations.

If a solicitor has not complied with the requirement and is not entitled to an exemption, further time will be given for compliance as a first sanction and independent evidence of verifiable CPD will require to be produced to show that compliance has been achieved.

Continued failure to comply may be referred to the Practising Certificate Committee of the Society for consideration as professional misconduct.

In selecting what is relevant to their professional development a solicitor exercises his or her professional judgement. The Society would not seek to second-guess the solicitor's professional judgement unless the decision reached is so unreasonable that no other competent or reputable solicitor would come to the same conclusion.



Exemptions and waivers

There are a number of formal exemptions from the CPD requirements. Solicitors can also apply to the Registrar for a waiver of the requirements. Circumstances where a waiver may be considered include but are not limited to redundancy and retirement.

The following exemptions do apply:

1. Solicitors suffering long-term illness – and absent from work - for 10 weeks or more in respect of the same illness in any practice year may reduce their CPD requirement in proportion to the number of weeks worked during the practice year, rounded up to the nearest complete hour. To calculate the required number of hours, divide the number of weeks worked by 2.6 and round up to the nearest whole number (e.g. solicitors who work between 37 and 39 weeks in a practice year will require to undertake 15 hours of CPD).
2. Solicitors on maternity, paternity or adoption leave may reduce their CPD requirement in proportion to the number of weeks worked in the practice year rounded up to the nearest complete hour in accordance with the formula above.
3. Solicitors who return to practice during the practice year may reduce their CPD requirement in proportion to the number of weeks worked in the practice year rounded up to the nearest complete hour in accordance with the formula above.
4. Trainees admitted during the practice year are not required to undertake any CPD until the start of the practice year following the date on which their training contract ends (assuming that they have then been admitted and hold a Practising Certificate).

Note: In each of the first three exemptions the proportions of verifiable CPD and private study must be reduced pro-rata.