

Law Society of Scotland Accredited Paralegal Status

Scheme of Operation

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Definitions

'Accredited Paralegal' is a paralegal who satisfies the entry criteria associated with the Status, and thereafter adheres to the requirements of the Status.

'Trainee Accredited Paralegal' is a Trainee Accredited Paralegal, working for a Supervising Solicitor for a period of twelve months, during which period they are monitored and after which they are deemed by the Society to be an Accredited Paralegal.

'Supervising Solicitor' is any Scottish solicitor, with an unrestricted practising certificate, who has agreed to undertake the supervision of the Accredited Paralegal or Trainee Accredited Paralegal (as detailed in chapter 5 of this Scheme of Operation) during their term of employment.

Throughout the Scheme of Operation, references to Accredited Paralegal means Accredited Paralegals and Trainee Accredited Paralegals. The exceptions are where there are specific requirements for trainees namely, sections 3, 4 and 5.

1. General information

- 1.1. This Scheme of Operation details the way the Society will operate the Law Society of Scotland Accredited Paralegal Status (the Status). The Scheme of Operation may be amended from time to time by the Society, with the approval of the Society's Board (the Board).
- 1.2. The objective of the Status is to recognise the work carried out by Accredited Paralegals and provide a formal accreditation. It provides an assurance of high quality and standards to employers, other members of the legal profession and clients.
- 1.3. Admission is based on qualifications, experience and demonstrating competence.
- 1.4. The Accredited Paralegal works under the supervision of a Supervising Solicitor in delivering legal services and/or legal expertise to clients or internal stakeholders. They may work for other solicitors in the organisation, but overall responsibility always rests with the Supervising Solicitor.
- 1.5. They are not entitled to work in their capacity as an Accredited Paralegal other than in connection with work done in support of a solicitor.
- 1.6. Where an Accredited Paralegal ceases work and therefore no longer has a Supervising Solicitor, they can maintain their accreditation for a period of up to 12 months, while not working, if they maintain their CPD and pay the renewal fee at the appropriate time. If they are re-employed in a paralegal role where there is no Supervising Solicitor, they must surrender their accreditation. If a paralegal is accredited in a particular area of law and moves to a role where he/she is not working in that area of law, they must surrender their accreditation. They may reapply under the general accreditation.

- 1.7. Continued accreditation is based on:
 - (a) Maintaining competencies
 - (b) Completion of an annual CPD requirement
 - (c) Adherence to the standards
 - (d) Payment of an annual fee
- 1.8. The annual cost of joining the Status, inclusive of membership of the Scottish Paralegal Association (SPA), will be prescribed by the Board.
- 1.9. Accreditation is renewed annually. The Accredited Paralegal practice year runs from 1 February until 31 January. New applicants can join at any time.
- 1.10. Once accredited, the Accredited Paralegal is entitled to use the Accredited Paralegal logo, details of which can be found in the member login area of the website. When the individual's accreditation ceases, they will no longer be entitled to use the logo.
- 1.11. Membership of the Status will not preclude members from holding membership of other professional associations if these do not create a conflict in terms of requirements.
- 1.12. There are two types of accreditations -
 - (a) Accreditation in a specific area of law. The paralegal must demonstrate that that they meet; a) a [general set of competencies](#) and b) a set of [competencies specific to an area of law](#). The current list of practice areas recognised by the Society and their relevant competencies is available on the Society's website.
 - (b) General Accreditation. The paralegal must (a) demonstrate that that they meet a general set of competencies and b) be able to explain the type of paralegal work they undertake. This would be submitted to the Society for approval. This accreditation would suit those working in practice areas not covered by (a) above or those paralegals working across several areas of law.

2. Practice areas

- 2.1. The current list of practice areas recognised by the Society is maintained on [the Society's website](#).
- 2.2. Competencies relating to practice areas should be reviewed every five years on a rolling basis as determined by the Accredited Paralegal Standing Committee (the Committee).
- 2.3. Request for the creation of new areas of practice will be brought to the Committee for consideration and consultation where necessary. When reviewing applications for new practice areas, the committee will take into consideration:
 - (a) whether there is sufficient demand

- (b) whether there is a significant overlap between the proposed new practice area and an existing practice area
- (c) the evolving nature of legal practice and the emergence of new practice areas.
- (d) instances where there are a number of paralegals under the General Accreditation who are working in the same area of law.

2.4. If the Committee agree that a new practice area can be created, they will set about creating the competencies that define that area of practice, calling on such expertise as required. A sub-group comprising relevant Law Society staff and committees, the applicant and any potential Supervising Solicitors working in this practice area, might be tasked to progress this work. Ultimately, the Committee must satisfy themselves that the competencies are of a standard that merit accreditation.

3. Admission

There are two routes to becoming an Accredited Paralegal – the traineeship route and the waiver route.

3.1. Traineeship route

Those applying for the traineeship route must demonstrate competence in one of the **listed areas of law** which has defined competencies (see 1.12). Those applying for the traineeship cannot apply for the general accreditation.

To qualify as an Accredited Paralegal, applicants should:

- (a) hold a formally recognised and assessed qualification (HND, law degree or other training qualification such as a specialist paralegal qualification or Society of Law Accountants (SOLAS) qualification).
- (b) spend twelve months as a Trainee Accredited Paralegal, working under the supervision of a Supervising Solicitor, in delivering services and/or legal expertise to clients or internal stakeholders.
- (c) demonstrate to the Supervising Solicitor during the twelve months training period that they:
 - i. are applying the knowledge, skills, attitudes and values contained in the General Competencies (see Schedule B)
 - ii. are applying the competencies for the practice area in which they work
 - iii. understand the Standards of Conduct (see Schedule A)
 - iv. have a commitment to CPD
- (d) undertake four quarterly performance reviews; and at the end of the twelve-month period, be declared as competent by the Supervising Solicitor according to the points listed in 3.1.c.

The onus is on the applicant to prove that the General Competencies and additional competencies in the practice area have been met.

3.2. Waiver route

Those applying for the waiver route can either opt for accreditation in a specific area of law (as listed by the Law Society) or the general accreditation (see 1.12). Paralegals working wholly in one of the listed areas of law cannot apply for the general accreditation. For example, a paralegal working in residential conveyancing cannot apply for the general accreditation.

Any applicant can apply for a waiver of any element of the entry criteria set out in 3.1.

- (a) applications for a waiver will be considered on their own merit and on a case-by-case basis by the Committee
- (b) the discretion to grant the waiver belongs solely to the Committee
- (c) the Committee may request further information, or an interview with the applicant
- (d) the Committee may grant the waiver subject to such conditions as it considers appropriate
- (e) The Committee is likely to use the waiver provision for individuals who can provide evidence that:
 - i. they hold a formally recognised and assessed qualification (HND, law degree or other training qualification such as a specialist paralegal qualification or SOLAS qualification) *
 - ii. they have more than two years' experience gained under the supervision of a solicitor holding a current practising certificate from the Society
 - iii. the Supervising Solicitor(s) believe(s) the applicant operates at a level equivalent to, or above, the General Competencies, contained within Schedule B
 - iv. the Supervising Solicitor(s) believe(s) the applicant can demonstrate competence in the applicant's chosen area of work
 - v. the Supervising Solicitor(s) was/were not aware of any valid complaints raised about the work of the paralegal; and
 - vi. they have a commitment to CPD

*Where the applicant does not hold a formally recognised qualification, the Committee will recognise length of service and experience as an alternative to this. Such applications will be reviewed on an individual basis.

- (f) where the applicant has worked under their current Supervising Solicitor for less than six months, the applicant will require to provide a supporting statement from their former Supervising Solicitor stating that they believe that the applicant operates at a level equivalent to, or above, the General Competencies (Schedule B) and is competent for the practice area in which the applicant works.

- (g) where the applicant is unable to produce such a statement, the applicant will not be eligible to apply for the waiver until they have completed a minimum of six months continuous service under their current Supervising Solicitor.

3.3. Character and suitability

Each applicant applying to become an Accredited Paralegal must be a fit and proper person and must maintain the standards that other members of the legal profession and the public expect.

While fitness relates to the skills and competencies outlined above, properness relates to an applicant's character and suitability. Criteria used when considering properness include:

- (a) the applicant's honesty, reliability, and integrity
- (b) values and attitudes
- (c) whether the applicant has a criminal record, and the nature of that record
- (d) good behaviour in personal and professional life ie not behaving either in a way that is likely to bring discredit on themselves or the Society
- (e) financial integrity

3.4. General considerations

- (a) As part of each application, there must be:
 - i. a self-declaration of criminal convictions pursuant to (and so far permitted by) the Rehabilitation of Offender Act 1974 (Exclusions and Exception) (Scotland) Order 2013, sequestration, bankruptcy, or discipline by another regulator
 - ii. a supporting declaration from the Supervising Solicitor
- (b) If the requirements set out above are not satisfied, the Society will issue guidance to the applicant and reserve the right to refuse the application.
- (c) If an applicant works in more than one practice area, the criteria outlined above must be met for all the practice areas in which they work. Any application where the applicant is seeking accreditation in three or more practice areas, must come before the committee for approval.
- (d) In the event of the creation of a new practice area, the Committee may set a timescale where new applicants to that area of practice can apply directly to the Accredited Paralegal Status without the requirement to undertake a year (or equivalent) as a Trainee Accredited Paralegal.

4. **Continuing Professional Development (CPD)**

4.1. General requirements

- (a) Accredited Paralegals are required to complete a minimum of 10 hours of CPD per annum.
- (b) Accredited Paralegals are responsible for identifying and planning their own CPD (often done in consultation with their Supervising Solicitor).
- (c) The CPD year for Accredited Paralegals runs from 1 February to 31 January of the following year. The exception is for Trainee Accredited Paralegals, where the 10 hours of CPD must be completed within one year of the commencement of the traineeship.
- (d) All CPD must be recorded in the member section of the Law Society's website to demonstrate that they have (i) identified their learning needs (ii) planned CPD activity to address those needs (iii) undertaken relevant CPD (iv) evaluated the CPD activity, what was learnt and how the lessons of the CPD activity can be put into practice.
- (e) Annually, a 5% random sample of members will have their plan, record and justifications examined. They will also be asked to forward evidence of their CPD activity. The Society also reserves the right to use risk-based sampling when necessary.

4.2. Hours, exemptions and waivers

- (a) CPD hours must consist of:
 - i. a minimum of five hours of verifiable CPD per year for each accreditation held. If a paralegal is accredited in one practice area (or holds the general accreditation), a minimum of five hours verifiable CPD must be undertaken. For accreditation in two practice areas, a minimum of 10 hours verifiable CPD must be undertaken
 - ii. a minimum of five hours of private study CPD per year, regardless of the number of practice areas in which accreditations are held
 - iii. the requirements are not reduced for those working part-time.
- (b) There are no formal exemptions from the CPD requirements although Accredited Paralegals can seek a waiver from the Committee
- (c) The following waivers apply:
 - i. long-term illness for twelve weeks or more in respect of the same illness in any practice year may reduce the CPD requirement in proportion to the number of weeks worked during the practice year, rounded up to the nearest complete hour.
 - ii. parental 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 below.

Divide the number of weeks worked by 5.2 and round up to the nearest whole number e.g. Accredited Paralegals who work between 37 and 39 weeks in a practice year will require to undertake 8 hours CPD that year.

4.3. Nature of CPD

All training chosen must help maintain or develop knowledge or skills relevant to the current or likely future careers. The range of activities recognised for CPD is deliberately wide-ranging. The focus is on relevance, continuing competence, enhancement of skills and compliance with the Society's conduct and service standards.

As well as traditional methods like attending courses, the following activities could be counted for CPD purposes: structured coaching, online training, distance learning and private study

- (a) Examples of areas of study:
 - i. specific update on law, legal knowledge or legal procedure
 - ii. management and organisation
 - iii. professional skills (e.g. communication skills)
 - iv. client care
 - v. ethics, attitudes and values (including anti-money laundering)
 - vi. risk management
 - vii. commercial awareness
 - viii. any area designed to improve an individual's ability to operate properly and effectively as an Accredited Paralegal.
- (b) Verifiable CPD should meet the following criteria:
 - i. have educational aims and objectives relevant to your development
 - ii. have clearly anticipated outcomes (e.g. what do you expect to learn from attending the course)
 - iii. have quality controls (ie. you should be given the opportunity to give feedback or ask questions)
 - iv. be verifiable (ie. able to be evidenced) from the activity organiser and indicate the number of hours (entailed).
- (c) Non-verifiable CPD may include any of the following:
 - i. reading relevant reports, journals or legal papers
 - ii. general reading of professional magazines (e.g. The Journal or Scots Law Times)
 - iii. non-structured coaching or mentoring sessions
 - iv. writing on law e.g. law books, journals, publications for clients, client's own publication, newspapers and magazines
 - v. research which relates to legal topics or has relevance to the practice/organisation which results in some form of written document, precedent, memorandum etc.
 - vi. internal training on case management systems or other internal systems.

Undertaking compulsory training for reason other than CPD regulations may count as long as it is relevant i.e. undertaking CPD for another body (e.g. STEP, SPA or SOLAS).

5. Role of the Supervising Solicitor

Accredited Paralegals work in support of a Supervising Solicitor in delivering legal services. They may work for other solicitors in the organisation, but overall responsibility always rests with the Supervising Solicitor.

The Supervising Solicitor is required to -

- 5.1. Confirm that it is their belief that the applicant has the necessary skills and competencies to become accredited, specifically regarding; (1) the General Competencies (Schedule B) (2) the competencies in the practice area(s) in which the applicant works; and (3) the Standards of Conduct.
- 5.2. Supervise the work of the accredited paralegal. There is no prescribed method of supervision. It is for the Supervising Solicitor and the accredited paralegal to determine this with regard to the overriding principles of the Status.
- 5.3. Carry out quarterly reviews with the trainee accredited paralegal, sign off on those reviews and ultimately sign off on the traineeship. More details on the reviews can be found on [the Trainee Accredited Paralegal section of the website](#).

The basic process is -

- (a) The trainee completes review paperwork in advance of the quarterly review with the Supervising Solicitor.
 - (b) The Supervising Solicitor carries out the quarterly review and signs off on the review paperwork.
 - (c) At the end the last quarter review, the Supervising Solicitor will confirm that they are confident that the trainee has the skills and competencies to become accredited.
- 5.4. If the Supervising Solicitor is going to be absent for a period of more than three months, then a new Supervising Solicitor must be appointed for the duration of the absence and the Law Society notified of the change as soon as possible.

6. Accredited Paralegal Standing Committee

- 6.1. The Committee is a committee of the Council and has full delegated authority from the Council to:
 - (a) take decisions in response to applications for entry to the scheme, in respect of entry standards and the 'character and suitability' requirements.
 - (b) approve any new practice area
 - (c) adjust any practice area as may be appropriate from time to time
 - (d) set CPD policy for Accredited Paralegals

- (e) waive any of the matters pertaining to the CPD requirements and to revoke such a waiver.

6.2. The remit of the Committee is:

- (a) to deal with applications which exceed the delegated authority of the Secretary
- (b) to consider any issues arising out of the character and suitability test
- (c) to consider non-standard aspects of applications
- (d) to consider requests for waivers
- (e) to assess any additional competencies in new practice areas proposed by paralegals who work in the proposed practice area and assessed by a panel with the necessary skills and knowledge.

6.3. The composition of the Committee:

- (a) a minimum of three Accredited Paralegals
- (b) up to two representatives of the SPA
- (c) up to two Scottish-based solicitors
- (d) up to two public interest members

6.4. The Committee can delegate certain functions to the Committee Secretary and a panel:

- (a) standard applications may be delegated to the Secretary
- (b) non-standard decisions may be delegated to a panel. There must be consensus amongst panel members for a decision to be taken in relation to entry. The panel must comprise of no less than three members of the committee.
- (c) should there be any request to change the delegated powers of the panel and the Secretary, this will be competent but will require the prior approval of the Board.

7. Complaints against Accredited Paralegals

The complaints process is necessary to maintain the integrity of the Status. Responsibilities incumbent on Accredited Paralegals do not affect the overall responsibility of the Supervising Solicitor for legal work undertaken.

7.1. Complaints might occur in the following circumstances:

- (a) non-compliance with CPD requirements, competencies relevant to the practice area as well as the General Competencies (Schedule B) and Standards of Conduct contained within the Scheme of Operation.
- (b) non-compliance with any other aspect of the Status, or the [Trademark Licence conditions](#).

7.2. When a complaint against an Accredited Paralegal is received by the Society, the following process will be implemented:

- (a) under delegated powers, the Secretary to the Accredited Paralegal Committee will review the initial complaint and prepare a summary to go to a panel of the committee for their review. The panel will consist of two members of the committee and the committee secretary. The panel will then review and recommend either:
 - i. no action; or
 - ii. that the Committee impose a sanction
- (b) the recommendation of the panel will be reviewed by the Accredited Paralegal Committee who will decide what action is required and will advise the Accredited Paralegal and Supervising Solicitor accordingly.

7.3. The sanctions applicable to Accredited Paralegals, where a complaint is upheld, include the following:

- (a) censure
- (b) removal of the Accredited Paralegal Status.

8. Right of appeal

8.1. There is a right of appeal in respect of any decision relating to admission to the status or any action following an upheld complaint. All appeals will be heard by the Executive Director of Member Services.

9. Scottish Paralegal Association (SPA)

9.1. The Status is marketed as being 'in partnership with the Scottish Paralegal Association', which reflects:

- (a) the involvement of the SPA in establishing and setting standards for the Status

- (b) the Society's recommendation to all applicants to join the SPA
 - (c) the Society's endorsement of SPA as the sole representative body the Society perceives to represent Accredited Paralegals.
- 9.2. It is possible to opt out of membership of the SPA, and therefore the support of SPA as a representative body for Accredited Paralegals. This can only be done at the beginning of each renewal year.
- 9.3. Opting out of membership of the SPA does not lead to a reduction in annual fees.
- 9.4. The relationship between the Society and the SPA, in relation to the Status, is governed by a separate collaboration agreement which will be reviewed from time to time.

10. Data

- 10.1. The Society will not share data about Accredited Paralegals with any other organisation, other than where they have opted for SPA membership as indicated the application process. For information about how we use your personal data see our privacy policy at www.lawscot.org.uk.
- 10.2. The Society will maintain a public register of Accredited Paralegals.
- 10.3. The register of Accredited Paralegals will be made available on the Society's website and will be limited to names, practice area(s) (if recognised by the Society) and place of work.
- 10.4. All Accredited Paralegals are obliged to keep their personal and employment details updated with the Society.
- 10.5. Changing employer - if an Accredited Paralegal changes employment during the practice year they must:
- (a) notify the Society immediately upon commencing their new employment of the following information:
 - i. the name/contact details for the new firm
 - ii. the name of their new Supervising Solicitor
 - iii. the finish date at the previous firm
 - iv. the start date of the new employment
 - v. confirmation that they will continue to work within the practice area in which they are currently accredited if accredited in a specified area of law (1.12).
 - (b) ask their Supervising Solicitor to email accreditedparalegals@lawscot.org.uk to confirm their new position, that they are happy to undertake the role of Supervising Solicitor.
- 10.6. Upon receipt of this information the Accredited Paralegal's details will be updated.

Schedule A – Standards of Conduct

An Accredited Paralegal should be familiar with and comply with the standards of conduct. These are based on the same standards of conduct expected of solicitors.

1. Trust and personal integrity

Accredited Paralegals must act with honesty and integrity at all times. This duty applies not just towards clients but to all people that Accredited Paralegals deal with, including the courts, witnesses, and all others in the legal profession.

Accredited Paralegals must behave in a way which shows that they have personal integrity and are fit to carry out the duties of an Accredited Paralegal.

2. Confidentiality

Accredited Paralegals must keep their client's business confidential. There is no time limit to this obligation and only the client, Parliament or the court can override this duty.

Confidentiality does not apply when a client indicates to their Accredited Paralegal that they intend to commit a crime.

3. The interests of the client

Accredited Paralegals must act in their client's best interests, although they must balance this duty with:

- (a) The duties that they have to others such as the courts and others in the legal profession
- (b) Their duty to remain independent
- (c) The law
- (d) The principles set out in these standards.

Sometimes there is a conflict between the client's wishes and an Accredited Paralegal's other duties. On these occasions, Accredited Paralegals, may have to refuse to do what a client asks. Accredited Paralegals must put the interests of their clients before their own, their Supervising Solicitor or those of their firm.

4. Professional fees

The fees charged by Accredited Paralegals must be fair and reasonable. A reasonable fee will take account of:

- (a) The amount of work and the time involved (including how complicated, difficult or novel the matter is)
- (b) The level of specialised knowledge, responsibility and supervision needed
- (c) The length, number and importance of any documents which need to be prepared or read
- (d) The place where and the circumstances in which the work is done

- (e) The urgency of the case
- (f) The amount of money or value of any property involved.

5. Proper instructions

Accredited Paralegals can only work on their client's behalf when:

- (a) They have their client's permission
- (b) They are responding to an instruction from a court with authority in the matter
- (c) Routine work cannot progress when it is impossible or impractical to get the client's permission.

Accredited Paralegals must not carry out work for a client if it is illegal or contrary to their professional standards. However, they can advise clients what the law is and what the consequences of any suggested course of action could be. When Accredited Paralegals agree to carry out work for a client, this does not mean they support or agree with their client's political, social or moral views or activities.

6. Competence, diligence and appropriate skills

Accredited Paralegals must have the relevant legal knowledge and skill to provide a competent and professional service. They must be thorough and prepared in all their work and should only agree to work for a client when they can do this adequately and completely within a reasonable period of time.

7. Effective communication

Accredited Paralegals must communicate clearly and effectively with their clients. Information should be comprehensive and, where necessary, confirmed in writing using clear and simple language. This allows the client to make informed decisions about the work being carried out or the advice being given.

Information that Accredited Paralegals must communicate to their clients:

- (a) Details of work to be carried out
- (b) Costs, including fees
- (c) Any significant development - in particular, Accredited Paralegals should inform clients in writing when it becomes known that the cost of work will be significantly more than was estimated.
- (d) Who will carry out the work.

8. Relations with the legal profession

Much of the work of Accredited Paralegals involves solicitors and others within the legal profession.

Accredited Paralegals must treat each other, solicitors and others within the legal profession with mutual respect and trust. This respect and trust includes not communicating directly with each other's clients.

9. Independence

When providing a legal service, an Accredited Paralegal must be independent and must not be influenced by inappropriate or illegal considerations. These include the possibility of unreasonable pressure being put on the Accredited Paralegal.

10. Disclosure of interest

When Accredited Paralegals are consulted about matters in which they have a personal interest, they must report that interest to their Supervising Solicitor and explain that there is a potential conflict of interest to the client. This will let the client decide whether or not they want the Accredited Paralegal to continue working for them.

If the personal interest is significant and an Accredited Paralegal's advice could be affected by it, the Accredited Paralegal must advise their Supervising Solicitor and decline to work for the client and advise them to look for another solicitor.

Accredited Paralegals must make information available to their clients about any payments they receive for referring clients to others such as mortgage brokers.

11. Drafting a will

Accredited Paralegals must not write a will for a client where they (or anyone close to them such as a spouse or business partner) will benefit from that will.

There are exceptions such as an Accredited Paralegal writing a will for his/her spouse, or when only a token is left to the Accredited Paralegal or Supervising Solicitor, but in general, where these situations arise, the Accredited Paralegal must advise the client to use another firm of solicitors.

12. Relations with the courts

Accredited Paralegals must behave with respect towards the court and must state the law and the facts honestly and accurately.

Accredited Paralegals have a duty to the court to help ensure that those who give evidence only give truthful and honest statements which they can accurately remember.

Accredited Paralegals must treat all those in court with the appropriate respect and courtesy. For example - other legal professionals, witnesses, court officials etc

13. Conflict of interest

Accredited Paralegals cannot work for two or more clients where there is a conflict between the interests of those clients. Equally, an Accredited Paralegal cannot work for a client when there is a conflict between the interest of the client and the Accredited Paralegal or Supervising Solicitor. This also applies to other organisations that Accredited Paralegals work for.

Where there is a conflict of interest, Accredited Paralegals must report this to their Supervising Solicitor and must inform all the clients involved. Even where there is only a possible conflict of interest, Accredited Paralegals should notify their Supervising Solicitor and be very careful. In certain situations, where there is only a potential conflict of interest, Accredited Paralegals might be able to work for both clients if there is full knowledge and agreement by both.

14. Withdrawing from acting if instructions are accepted

Accredited Paralegals, under the instruction of their Supervising Solicitor, must have a good reason if they intend to stop working for a client. When Accredited Paralegals do stop working for a client, they or their Supervising Solicitor should inform the client of the reason. Accredited Paralegals or their Supervising Solicitor should give their client reasonable notice that they will no longer work for them and that they should seek another source of legal advice.

15. Diversity

Accredited Paralegals must not discriminate on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation in their professional dealings with other lawyers, clients, employees or others.

Schedule B - General Competencies

Accredited Paralegals are expected to work to a high level of competency which include knowledge, skills and values.

- (a) Under knowledge, you need to demonstrate understanding, familiarity and awareness as required in the particular practice area(s) that you are seeking accreditation
- (b) The skills you require include technical, organisational, communication, inter-personal and practice
- (c) By values we mean - legal and ethical values, attitudes and having a professional client focus.

Knowledge

As an Accredited Paralegal, you should be able to:

- (a) apply your knowledge and understanding of the law and procedure to a particular matter effectively, and carry out procedures appropriately and efficiently so as to meet (i) the needs of the Supervising Solicitor and ultimately (ii) the client's needs, objectives and priorities, based on a clear understanding of the client's instructions
- (b) assess any instruction (whether from the Supervising Solicitor or directly from the client) and determine that you have the appropriate levels of knowledge and experience to carry out the work.

Skills

As an Accredited Paralegal, you should be able to demonstrate:

- (a) Accuracy
 - The ability to produce accurate work
 - an understanding of the importance, consequences and risks arising from carelessness.
- (b) Research
 - the knowledge of where to look for and find accurate information required to carry out your work.
 - the ability to use key primary sources (eg Acts, Regulations etc) and secondary (eg key text and reference books) from written and online resources.
 - the ability to evaluate the reliability or suitability of sources
- (c) Office systems and procedures
 - familiarity with office business systems and resources, whether paper-based or online, including employing your organisation's forms and precedents.
 - compliance with office procedures and standards

- an understanding of how technology can support client service. This may include client reporting systems, file and data management systems and use of knowledge management systems.

(d) Personal management

- an awareness of time-limits and the risks of breaching them
- the ability to exercise effective judgement in respect of realistic timescales for completion of tasks and delivery of objectives.
- the ability to manage and prioritise your personal workload
- the awareness to only accept work which you feel competent to undertake
- a clear understanding of the work and responsibilities delegated to you by the Supervising Solicitor and understanding the limits in relation to that role.
- recognise the requirement to keep your Supervising Solicitor fully informed on a regular basis, the Supervising Solicitor having a responsibility to supervise matters.
- recognise that it is paramount to raise concerns/issues relating to completion of tasks and meeting of deadlines with your Supervising Solicitor at the earliest opportunity.
- an awareness of when it is necessary to seek support and/or advice from your Supervising Solicitor, and when it is necessary or required to refer an issue in its entirety to the Supervising Solicitor.
- an awareness of where a transaction is non-standard or includes non-standard elements and refer this to your Supervising Solicitor.
- the ability to undertake communications/action arising from telephone calls, meetings or interviews promptly.
- the ability to ensure that those to whom work is delegated are properly trained and supervised.

(e) File management

- a clear understanding of good file management practices, including:
 - filing documents and correspondence as appropriate
 - keeping filing up to date
 - taking and filing accurate notes of telephone calls and meetings
 - maintaining and managing appropriate diaries

(f) General communication

- the ability to communicate effectively with those you work with, including your Supervising Solicitor, clients, other professionals, relevant bodies and authorities as appropriate, including:
 - identifying different communication options and selecting the communication form which is appropriate to the particular situation and/or client.
 - producing communications which meet client or Supervising Solicitor instructions, and which are fit for purpose.

- the ability to communicate fee arrangements to clients promptly and transparently and informing them in writing when it becomes known that the cost of work will be significantly more than was estimated.

(g) Written communication

- the ability to communicate effectively in writing:
 - demonstrating attention to detail
 - using plain and understandable language appropriate to the recipient
- the ability to use electronic communications including email:
 - understanding the difference between letters and e-mails and when each are appropriate.
 - properly managing e-communications to avoid risk, including archiving e-mails safely and accurately.

(h) Meeting with clients and others

- the ability to conduct a client-centred interview effectively, including:
 - preparing for the interview
 - listening and eliciting required legal, personal and factual information, and full instructions from client and recording appropriately.

(i) Drafting

- the ability to draft documents which:
 - are valid in terms of content and form
 - use correct legal terminology
 - address relevant legal and factual issues accurately
 - ensure documents are validly executed and registered in relevant registers, where necessary.
- the ability to use precedent documents and styles by:
 - identifying the appropriate precedent document or style required
 - adapting the precedent document or style to the particular context
 - understanding when non-standard variations may be needed and referring to Supervising Solicitor.
- the ability to complete prescribed forms accurately

(j) Negotiation (if required for the specific practice area)

- the ability to take part in a negotiation effectively, including:
 - preparing appropriately for the negotiation
 - negotiating within the agreed instruction and remit

(k) Effective speaking skills (if required for the specific practice area)

- the ability to advocate a case on behalf of a client effectively in accordance with relevant rules and procedure, either where an Accredited Paralegal has jurisdiction and authority to appear, or when preparing on behalf of your Supervising Solicitor who will appear. This includes:
 - preparing appropriately for the submission

- using legal authorities, relevant facts and documentation in preparation for, and during, a submission.
- using effective speaking skills
- demonstrating an understanding of the relevant rules, ethics and conventions governing advocacy.

Values and attitudes

As an Accredited Paralegal you should:

(a) Legal and ethical values

- recognise the importance of and ensure compliance with all current anti-money laundering procedures.
- recognise the importance of and ensure compliance with all current GDPR procedures.
- be aware of current and future potential for conflicts of interest in all work and notify Supervising Solicitor.
- understand and comply with the Standards of Conduct for Accredited Paralegals.
- understand the ethical requirements upon yourself and the Supervising Solicitor, which must be applied to all work carried out.

(b) Attitudes

- understand fully the role of your Supervising Solicitor and be aware that responsibility for any legal work undertaken by you, ultimately rests with the Supervising Solicitor
- treat clients, colleagues, other members of the legal profession and the public with politeness and respect recognising diversity, different cultures and values
- be aware of the importance of your continuing professional and personal development, including:
 - being aware of the importance to self-assess, reflect and develop personally and professionally.
 - assessing/identifying where development is required
 - evaluating strengths and weaknesses of own skills and knowledge and working with your Supervising Solicitor to set learning targets.

(c) Client

- be able to work in the best interests of the client and manage the client service well, including:
 - being aware of the differences in acting for different types of client.
 - keeping your client informed of progress on a regular basis, agreeing with the client the frequency of that communication.
 - being able to speak with your Supervising Solicitor about any concerns you may have regarding a client, either a possible complaint or conflict or any other matter.
 - being able to raise with your Supervising Solicitor any client complaint immediately that it arises.
 - regularly updating your Supervising Solicitor on work being done for clients

- if a client instructs you to act in any matter which you may feel is fraudulent or contains any element of fraud or illegality, then you must refer this to your Supervising Solicitor immediately.
- manage client expectations by:
 - ensuring terms of engagement letters are issued accurately reflecting the scope of work and recognising when this may require to be updated being able to advise your client on the legal consequences of their instructions or actions.
 - being able to advise your client on realistic time scales on instructions and completion of a matter.
 - being able to advise your client on potential outcomes of a matter.

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