

# A new framework for work based learning

## Consultation

### Introduction

1. In 2006, the Law Society Regulation Board (which became the Solicitors Regulation Authority (SRA) in January 2007) sought views on a new framework for the assessment of trainee solicitors' performance in practice.<sup>1</sup> If implemented, the new framework will replace the current training contract arrangements.<sup>2</sup>
2. We are grateful to everyone who responded to the initial consultation, and a summary of the responses has been published on the Law Society website.<sup>3</sup> Responses were encouraging, indicating broad support for the principles expressed in the proposals. We also received many helpful comments and suggestions on the proposals, all of which have been recorded and considered. This paper sets out the SRA's response to the main points arising from the initial consultation and uses the responses to develop and refine our ideas. We are now inviting views from all stakeholders on the refined proposals.
3. We encourage you to respond by completing an online form at [www.consultations.sra.org.uk](http://www.consultations.sra.org.uk). Alternatively, you can download an MS Word response form at the same address. (Please select "Work based learning" from the list of current consultations.) Completed MS Word response forms should be emailed to [trainingconsultations@sra.org.uk](mailto:trainingconsultations@sra.org.uk) or submitted by post to Simon Bullock.

For our postal address, please visit [www.sra.org.uk/contact-us](http://www.sra.org.uk/contact-us).

The deadline for submission of responses is **Wednesday, 9 May 2007**.

Email enquiries and comments to [trainingconsultations@sra.org.uk](mailto:trainingconsultations@sra.org.uk).

<sup>1</sup> The August 2006 consultation can be downloaded from <http://www.lawsociety.org.uk/documents/downloads/becomingtfrconsultationwbl.pdf>.

<sup>2</sup> The training contract is the mandatory period of experience in an authorised training establishment which must be undertaken by all trainee solicitors prior to qualification.

<sup>3</sup> <http://www.lawsociety.org.uk/documents/downloads/becomingtfrconsultationwblanalysis.pdf>

## The new framework

4. The initial consultation proposed a new framework for would-be solicitors' period of work based learning which would:
  - replace the current fixed two year training period with a flexible period of development based on assessment against a clear set of standards and regular reviews with appointed supervisors;
  - remove the requirement for individuals to obtain a training contract and participate in a formal, structured training programme;
  - introduce a route to qualification for individuals who are not in a formal training contract but are working at an appropriate level in an appropriate legal environment and can demonstrate that they are developing the required knowledge and skills to qualify as a solicitor;
  - provide access to supervisors/assessors employed by the SRA for individuals seeking to qualify through this route;
  - introduce a formal assessment of competence at the end of the period of work-based learning, and explore the possibility of developing an assessment tool based on the completion of a portfolio;
  - introduce an enhanced validation and monitoring process for organisations seeking accreditation as training organisations and a lighter touch, in-house assessment regime for individuals employed by these organisations;
  - introduce a requirement for supervisors/assessors to be trained against standards set by the SRA
5. It is proposed that the new framework will be piloted for a minimum period of two years from September 2007.

## Purpose of the new framework

6. The SRA is responsible for the regulation of the solicitors' profession. Its purpose is to:

*"Set and secure in the public interest standards of behaviour and professional performance necessary to ensure that clients receive a good service and the rule of law is up-held"*
7. The education, training and development of solicitors play a critical role in securing standards and protecting the public interest. In order to achieve this, the SRA will:
  - i) set standards for entry to the profession, professional behaviours and continuing professional development so as to maintain and enhance the competence, performance and ethical conduct of solicitors and up-hold the rule of law; and
  - ii) take steps to secure that those joining the profession:
    - come from a wide-range of backgrounds and experience;
    - meet appropriate standards of character, intellect, knowledge and skills;
    - are able to sustain client confidence;
    - undertake and are able to sustain commitment to the rule of law;

- can demonstrably up-hold the principles governing those providing legal services of independence; integrity; the duty to act in the best interests of clients; and client confidentiality.
8. To ensure that those entering the solicitors' profession reach an appropriate standard of competence to sustain client confidence and protect the public interest, the SRA has a duty, as a regulator, to set clear and transparent standards for entry to the profession and ensure that anyone seeking to qualify as a solicitor is assessed against these standards at appropriate points in the qualification process.
  9. Theoretical knowledge, together with communication and analytical skills in the legal context, are currently tested through formal assessments on the law degree or the Graduate Diploma in Law (GDL). These assessments are based on the foundations of legal knowledge which must be achieved by everyone at the academic stage. Knowledge and practical skills required in the vocational context are assessed in a simulated environment on the Legal Practice Course (LPC). Knowledge and skills are also developed in practice during the training contract period, and at the end of the training contract the Training Principal must certify that they are satisfied that the trainee has received appropriate training and has achieved the required skills. However, there is no formal mechanism in place for assessment or checking whether the skills were met in practice.<sup>4</sup>
  10. The proposed new framework will continue to require that anyone seeking to qualify as a solicitor undertakes a period of development within a legal environment. However, at the end of this period in practice, individuals will be formally assessed against a set of specified standards which will set out the key knowledge, skills and behaviours that an individual should be able to demonstrate during and at the end of a period in legal practice prior to qualification. This will provide assurance that on qualification a solicitor has demonstrated the required attributes in a practical work environment. The standards for the work based learning period will be developed through research and consultation with the profession and key stakeholders.
  11. As well as ensuring appropriate standards of entry to the solicitors' profession, the SRA is committed to ensuring that those joining the profession come from a wide range of backgrounds and experiences. The SRA does not get involved in the recruitment process for trainee solicitors and students must compete for training contracts in an open market place. Competition for training contracts under the current system is strong and the SRA is concerned that reliance on A Level grades and a concentration of recruits from older universities, particularly amongst the larger firms<sup>5</sup>, act as artificial barriers to qualification for some individuals. There is evidence, in particular, that certain groups are disadvantaged by the current training contract arrangements<sup>6</sup> and that social

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<sup>4</sup> The skills to be developed are detailed in 'Training Trainee Solicitors: The Law Society Requirements' – <http://www.lawsociety.org.uk/documents/downloads/becomingtrainingrequirementsv12004.pdf> <sup>5</sup> A Firm Decision: The Recruitment of Trainee Solicitors, Heather Rolfe and Tracey Anderson 2002

<sup>6</sup> Research indicates that whilst law is a popular degree amongst black and Asian students, they take longer to secure training contracts and they have difficulties in securing the most desired and most lucrative contracts. A Firm Decision: The Recruitment of Trainee Solicitors, Heather Rolfe and Tracey Anderson, 2002

class is a factor in securing a training contract<sup>7</sup>; the cost of the overall qualification process may also put some off.

12. In line with its strategy, the SRA is keen to ensure that anyone who can demonstrate the necessary character, intellect, knowledge and skills required of a qualified solicitor should be given an opportunity to do so. It would be desirable if, in the future, the only barrier to qualification is the inability to reach the required standard or to demonstrate appropriate character and suitability. To achieve this, the new framework will remove any unnecessary regulatory requirements, be more flexible and provide new opportunities for individuals who are not in a formal training contract to demonstrate their competence in practice and to qualify as a solicitor if they reach the required standard.

### **Question 1**

*Do you agree that an objective of the proposed arrangements should be to help ensure that anyone who can demonstrate the necessary character, intellect, knowledge and skills should have an opportunity to qualify as a solicitor?*

### **Purpose of the period of work-based learning**

13. The current qualification process for solicitors involves three elements:
  - i) the qualifying law degree or GDL where individuals develop theoretical knowledge in an academic setting;
  - ii) the Legal Practice Course where individuals develop practical knowledge and skills in a simulated environment;
  - iii) the training contract where individuals develop practical knowledge and skills in a real environment.
14. The SRA's strategy emphasises the need to protect and provide a good service to the consumer, maintain the integrity of the profession and contribute to upholding the rule of law. We believe that these objectives are best met by the clear recognition that those admitted to the profession require a common grounding in the core skills, basic knowledge and core values which pervade all aspects of legal practice. These core skills, knowledge and values have been encapsulated in the day one outcomes referred to in previous consultations and attached at annex 1 for information. Completion of the three elements of the qualification, which are distinct but mutually reinforcing, will enable the prospective solicitor to demonstrate that he or she meets the day one outcomes and has reached an appropriate standard to qualify.
15. Under the new framework, individuals will still be required to complete all three stages of the qualification before becoming a solicitor and a compulsory period of experience in practice remains a key feature of the proposals. The purpose of the period of work based learning is to expose the individual to a real legal environment where they can practise and develop their legal skills and knowledge with support and under supervision. It should also provide an opportunity to learn from other legal professionals and develop the professional attitudes and behaviours expected from a qualified solicitor. These professional

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<sup>7</sup> Less privileged students are also disadvantaged in the allocation of training contracts as they generally (but not always) secure the less lucrative training contracts and are less likely to secure financial assistance from firms during the LPC. Social Class and Entry into the Solicitors' Profession, Sumitra Vignaendra, 2001

skills, attitudes and behaviours are a critical part of the solicitors' qualification and these elements of the day one outcomes, in particular, will be assessed at the end of the period of work based learning.

### **Progress so far**

16. We are encouraged by the support in the initial consultation responses to the proposals for a new framework for the period of work based learning. We have carefully considered all of the responses against the SRA's regulatory objectives and responsibilities and have refined and developed our proposals as detailed below.

#### **i) Standards**

17. We have suggested that work based learning should be based on a clear set of standards linked to the overall day one outcomes. Work has already begun to identify the standards which should be achieved through the period of work based learning. The work is being undertaken by a firm of experts in this area through a series of one to one interviews and focus groups with members of the profession responsible for training solicitors. The first draft of the standards which individuals would be expected to achieve during the period of work based learning is attached at annex 2.<sup>8</sup> It is important to emphasise that these are the standards that would be expected of a newly qualified solicitor and that the skills, knowledge and behaviours that they represent would be further enhanced in the course of a career.
18. We would welcome views on the draft standards at annex 2. In particular:

#### **Question 2**

- i) *How far do the draft standards broadly reflect the knowledge, skills and behaviours that individuals should be able to demonstrate at the end of the period of work based learning?*
- ii) *How far do the draft standards accurately reflect the level of competence which individuals should achieve during the period of work based learning?*

#### **Question 3**

*Which, if any, of these standards, while they may be desirable, are not essential at the point of qualification?*

#### **Question 4**

*Are there any essential areas which are not reflected in the standards?*

#### **Question 5**

*Are the categorisation and headings in the standards appropriate?*

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<sup>8</sup> An exercise has also been undertaken to map the standards for the period of work based learning against the day one outcomes. The day one outcomes which will be met through the period of work based learning are shown in italics in annex 1. The remaining day one outcomes will, of course, be achieved through the law degree/GDL and the LPC.

## **Question 6**

*Are the standards capable of effective assessment during the period of work based learning?*

### **ii) The period of work based learning**

19. The initial consultation paper highlighted concerns about the potential barrier to qualification posed by the current training contract arrangements. However, despite support for an alternative route to qualification, respondents to the initial consultation also thought that the SRA should continue to require individuals to enter into training contracts, the format and content of which would be prescribed by the SRA. Concerns were also expressed about an over-supply of solicitors if access to the profession is opened up to anyone who can demonstrate that they meet the appropriate standards.
20. As a regulator, the SRA's primary focus is on ensuring standards of entry to the solicitors' profession. In our judgement, this can be achieved through the setting of clear standards for entry, assessing individuals against these standards and by requirements placed on training organisations rather than through the detail of the training agreements. We do see merit in giving recognition to organisations which provide appropriate structured training programmes to individuals seeking to qualify and empowering those organisations to assess these individuals in house. However, provided the standards are set at an appropriate level and the assessment tool is robust, we can see no regulatory justification for limiting access to the profession to individuals who have undertaken a formal period of training with a recognised training establishment. It should be possible for individuals to gain the experience to qualify as a solicitor without necessarily undertaking a structured training programme within an accredited training firm and this view was accepted by the majority of respondents to the initial consultation.
21. Under the new framework, individuals who have not gained their experience via a recognised training scheme will have the opportunity to demonstrate that they meet the required standards and present themselves for qualification. Whichever route the individual adopts for work based learning, whether through an accredited training organisation or an alternative, employment legislation will provide the necessary protection of individual rights. In the circumstances, we see no regulatory justification for prescribing the content of training agreements which should be a matter between the firm and the individual; the regulatory focus should be on the standards trainees must meet by the end of their training period and before qualification.
22. The initial consultation paper highlighted the fact that the time-based approach of the current training contract does not recognise the variety of different ways in which individuals now study, learn and work and provides little flexibility. We proposed that, rather than prescribing a fixed, two-year training period, the SRA would require individuals to undertake regular review sessions with appointed supervisors to discuss progress against the required standards. The individual would be required to undertake a minimum of four review sessions and the review sessions would take place at intervals of no less than four months. This would allow individuals to develop their knowledge and skills at their own pace and to present themselves for assessment at the point when they felt they could demonstrate all of the required standards through their completed portfolio. The four monthly sessions were intended as a minimum requirement and it was

envisaged that the majority of individuals would continue to undertake a two-year training period prior to the assessment, although there would be opportunities for individuals to qualify in a shorter or longer period, if appropriate.

23. There was widespread support in the initial consultation for the introduction of compulsory review sessions with appointed supervisors; however, there was no consensus about the minimum number of review sessions or the time between them. Many of the stakeholders consulted felt that it would not be possible for individuals to reach the required standard in less than two years. They also expressed concern about planning and resources if the training period varied between individuals, and that a lowest common denominator approach might prevail.
24. The SRA is keen to provide opportunities for flexibility in the training process and to ensure that the qualification process focuses clearly on the outcomes and standards to be achieved during the period of work based learning rather than the time taken to achieve the standard. We can see no clear regulatory justification for prescribing a fixed period of learning once the standards are well established. However, it will be important to prescribe a minimum number of regular review sessions to provide an opportunity for individuals to discuss their progress with their supervisor and put in place any necessary remedial action as early as possible. We also recognise the importance of providing clear and transparent guidelines both to individuals seeking to qualify and to those responsible for training them. Under the new framework, we would expect the majority of individuals to undertake a minimum two year period in practice prior to qualification. (Individuals undertaking their work based learning part-time would, of course, take longer than two years). However, we also envisage, as under the current arrangements, that some individuals will have developed the necessary knowledge and skills to demonstrate their competence in a shorter period of time. In these circumstances, the decision to reduce the period taken to complete the portfolio would be reached through discussion with the supervisor.
25. We propose, therefore, to retain the proposal that individuals undertake a minimum number of review sessions with an appointed supervisor but that the number of, and time between, sessions will be tested through the pilot phase beginning this autumn. We will develop guidelines for individuals seeking to qualify and for supervisors and assessors on how to determine whether an individual can qualify in a shorter period, both for those working in accredited training organisations and for those who are not. The effectiveness and appropriateness of this approach will be evaluated during and at the end of the pilot phase. We will also give consideration to the circumstances that arise where an individual wishes to extend their period of work based learning or to take a break in the process.

### **iii) Assessment**

26. In the initial consultation, we put forward proposals for the introduction of a formal assessment of the period of work based learning. This assessment would be undertaken by anyone seeking to qualify as a solicitor, regardless of the route to qualification. Concerns were raised by respondents to the initial consultation about the creation of a two-tier profession if individuals were given the opportunity to qualify outside of a structured training programme. This risk should be capable of mitigation by ensuring that the standards to be achieved

and demonstrated are set at the correct level and can be applied in all appropriate environments, and that the assessment methodology is robust and can be consistently applied to anyone seeking qualification regardless of the training route.

27. The creation of a two tier profession is only a risk if it is perceived that there is inconsistency in the standards being applied and assessed for individuals qualifying through an accredited organisation and those not. We will introduce a scheme of monitoring and moderation to ensure that standards are being consistently applied across all routes. The exact nature of the moderation system will depend on the assessment tool that is finally adopted. Options that will be considered include a form of peer review of the assessment process, with assessors in accredited organisations reviewing assessments undertaken by assessors contracted to the SRA and vice versa, sampling and review of assessments by the SRA and/or the establishment of a moderation board run by the SRA.

### **Question 7**

*What system of monitoring and moderating assessments might be effective in ensuring standards and consistency of the assessments across all routes to qualification?*

28. We are currently working with an external organisation to develop an appropriate mechanism for assessment of the period of work based learning. It is likely that the assessment will involve the completion of a portfolio of evidence in consultation with a supervisor or assessor. The portfolio will be based on the standards identified for the period of work based learning (annex 2). For individuals who have undertaken an accredited training programme, the portfolio will be assessed by an assessor within the accredited organisation. For individuals who have not been through an accredited training programme, the portfolio will be assessed by an assessor appointed by the SRA. The assessment tool will be designed in such a way as to help individuals judge whether a proposed work programme will enable them to meet the required outcomes and to enable them to assess their own progress during the period of work based learning.
29. Consideration still needs to be given to the roles and responsibilities of the supervisors and assessors. The review sessions could form part of the assessment process and be undertaken by an "assessor" who would perform regular assessments throughout the period of work based learning linked to the review sessions. The same person would also perform the final assessment at the end of the period. For accredited organisations, a suitably qualified and trained assessor would be employed by them but might not work with the individual on a day to day basis. For unaccredited organisations the assessor would be appointed by the SRA. Under this arrangement the individual's day to day "supervisor" or line manager would have a key role in validating the portfolio submissions, but they would not be involved in the review and assessment process. The benefit of this approach is the continual assessment throughout the process and the opportunities for feedback on progress that would result. Alternatively, the assessment could be taken simply at the end of the period of work based learning by an assessor and the review sessions could be undertaken by a supervisor/line manager (or someone appointed by the SRA for non-accredited organisations).



30. Whatever is finally agreed, we would expect that everyone seeking to qualify will be required to identify people in supervisory/line management roles in their employing organisation who can validate the experience gained and the portfolio submissions. This will require individuals not in accredited training schemes to have the support of their employer even if the employer is not seeking accreditation. It is likely that the individual in the supervisory/line management role in both accredited and non accredited organisations will be required to confirm the nature, level and breadth of work being undertaken by the individual seeking qualification, the supervision arrangements for the individual and the validity of submissions made in the portfolio.
31. One of the purposes of the period of work based learning is to expose the individual to a real legal environment where they have the opportunity to learn from other legal professionals and develop the professional attitudes and behaviours expected from a qualified solicitor. These professional skills, attitudes and behaviours are a critical element of the solicitors' qualification and we believe that these can only properly be developed through exposure to and contact with qualified solicitors. We would also expect, therefore, that the experience gained during the period of work based learning will need to be undertaken in a legal environment where the individual works with, for, or has contact with a qualified solicitor.
32. We are aware that there may be difficulties for some individuals seeking to qualify if their employer will not support their decision to seek qualification. There is also a risk that the opportunities for qualification may not increase in line with the rationale for the new framework. The pilot phase will be important in testing the assessment methodology for individuals who are not on accredited training schemes and assessing the workability of an assessment mechanism based on a requirement to submit validated and supported evidence. The alternative to such a system of validation would be to ask trainees going through the alternative route to undergo assessments at the end of their period of work based learning in order to confirm that the required outcomes had been achieved; but this would be expensive and could act as a disincentive for prospective trainees.

#### **Question 8**

*To what extent should individuals seeking to qualify as a solicitor have worked closely with and/or for a qualified solicitor throughout their period of work based learning?*

#### **Question 9**

*Is it necessary for the evidence presented in the portfolio to be supported and validated (as accurately reflecting the work undertaken by the individual seeking qualification) by someone in a supervisory position in the applicant's organisation?*

#### **Question 10**

*Will the requirement for evidence to be supported and validated by someone in the organisation, even if the organisation is not accredited, act as a barrier to qualification in some cases? If you have answered yes, how might this risk be mitigated?*

### **Question 11**

*Will organisations that do not wish to seek accredited status or provide structured training programmes for their staff be willing to support their staff through qualification by validating their experience?*

33. There was no agreement during the initial consultation about when the qualifying work based learning period could take place. Some respondents thought that it would depend, some thought that it should take place after formal academic study and others thought that it should take place at any time.
34. We acknowledge that many potential entrants to the profession gain valuable and relevant practical experience outside of formal training schemes and whilst studying for their law degree, GDL or LPC, whilst taking a break from studying or after completion of the LPC. Under the current arrangements, much of this experience does not count towards the training contract. Under the new framework individuals will be able to include experience in their portfolio which is gained at any point in the qualification process, i.e. from the start of the law degree or GDL, provided the experience is gained at an appropriate level in a legal environment, can be validated and meets the standards set by the SRA. We will provide guidance on what counts as appropriate experience at the correct level required for qualification and individuals will be required not only to seek advice from their supervisors/assessors on the suitability of experience but also to secure their agreement.
35. We do not believe that it is feasible for relevant experience to be gained prior to the commencement of academic study and we envisage that, in most cases, individuals will not be undertaking relevant experience until they have completed the LPC and begun full time employment. However, we acknowledge that some individuals do gain relevant experience at different points in their career and we want to provide an opportunity for this experience to be recognised. We envisage, therefore, that at any point after the commencement of the academic stage of training, an individual will be able to register with the SRA for work based learning and start to develop a portfolio under supervision. The SRA will produce guidelines on the minimum period of experience and on the level of work which can count. However, where an individual has relevant legal work experience which was undertaken before the start of the portfolio, they will not be able to claim credit for this retrospectively. To permit this would be inconsistent with our view of the portfolio as a developmental tool which will enable individuals to record and reflect on their experiences at the point at which it takes place.
36. It is probable, however, that an individual with prior relevant experience of the requisite standard would be in a position to demonstrate that they meet the standards for the period of work-based learning in a shorter period of time than the normal two years. A reduction in the time taken to qualify would be subject to discussion and agreement with the portfolio supervisor/assessor during the period of work based learning.

### **Question 12**

*Do you agree that provision should be made for the possibility of the work based learning period commencing during the academic stage of training?*

37. The solicitors' qualification remains a generic qualification which enables the solicitor to practise in any area of law and in any environment (it is the responsibility of the solicitor to ensure that he or she is competent to practise in any particular specialism). The SRA believes that, in order to protect and provide a good service to the consumer, those admitted to the profession require a common grounding in the core skills, basic knowledge and core values which pervade all areas of legal practice. We believe it is important that those seeking to qualify into the profession can demonstrate that they have this common grounding and that they are able to adapt and apply their knowledge and skills to different areas of law. In order to achieve this, we will continue to require individuals undergoing work based learning to demonstrate their knowledge and skills in at least three areas of law and in both contentious and non contentious areas. The majority of respondents to the initial consultation supported this view.
38. With the development of standards and an assessment tool, it is the SRA's intention that there should be a higher level of assurance secured through successful completion of a period of work based learning than is secured through the training contract 'sign off'. This will be the case whichever work based learning route is adopted by the prospective solicitor. There will be a need to develop procedures and guidance to cover situations where individuals do not meet the required standards but wish to embark on a further period of learning in order to achieve the required outcomes; and consideration will be given to a system of appeals for individuals who wish to dispute the findings of assessors.

#### **iv) Accredited work based learning training schemes**

39. Although there will be no requirement for individuals to have undertaken a formal training scheme with an accredited training organisation prior to qualification, we continue to recognise the positive impact of such programmes in preparing individuals for qualification. We expect that the majority of training firms will continue to offer such programmes to trainees on the same basis as under the current scheme. There was widespread support in the initial consultation for the development of a scheme, based on best practice, for firms seeking to gain accreditation for their training schemes. There was also support for an authorisation and monitoring regime which would be more robust than the current scheme for authorised training establishments.
40. We propose, therefore, to develop new arrangements for the accreditation of training providers. The scheme will be based on a set of clear training standards which will be developed in consultation with the profession and key stakeholders. The standards will not be concerned with the format and content of the training agreements between the individual and the employer, but will focus on the training scheme itself, the way in which the necessary level of experience will be achieved, the way in which the standards relevant to work based learning will be achieved, the support, training and supervision provided to the individual on the scheme and the management of the scheme. Firms gaining accreditation under the new scheme will be able to assess individuals in-house against the requirements for the period of work based learning.
41. Consideration will need to be given to transitional arrangements for firms who are authorised under the current arrangements and wish to seek accreditation under the new scheme. A separate project will be launched to identify current best practice, develop standards and an authorisation and monitoring process

for the new scheme and consider transitional arrangements. This will be subject to a separate consultation in due course.

**v) Qualified lawyers from other jurisdictions**

42. There was widespread agreement that qualified lawyers from other jurisdictions seeking to re-qualify in England and Wales should also be subject to an assessment of their experience in practice against the same standards as LPC graduates prior to admission as a solicitor in England and Wales. This will be taken forward as a separate piece of work and will take into account the proposals for the new approach to work based learning as well as EU law.

**The next steps**

43. We are continuing to work on the development of appropriate standards and an assessment mechanism for the period of work based learning. We will be running further focus groups in February/March to seek views from stakeholders on the viability of the assessment tool, its application in both accredited and non-accredited organisations, the consequence of failure of the assessment of work based learning and the development of an appropriate appeals mechanism. If you would like to take part in these focus groups, please e-mail Simon Bullock, [simon.bullock@sra.org.uk](mailto:simon.bullock@sra.org.uk) with the subject 'WBL focus groups', to express your interest by the end of February 2007.
44. Once the assessment methodology has been agreed, further work will be undertaken to determine the exact nature of the supervisor/assessor role, the skills and training required to undertake this role, and who should provide the training. For the purposes of the pilot scheme, all supervisors/assessors will receive training from the SRA.
45. The responses to this consultation will be fed into this work and will inform the development of a pilot scheme which will be launched in September 2007. The pilot scheme will run for a minimum period of two years, during and after which we will conduct a full evaluation of the scheme. Any new scheme for the assessment of work based learning will not be introduced before September 2010 and consideration will be given to appropriate transitional arrangements before full implementation.
46. We do not intend to develop the new scheme for accreditation of training providers for the pilot project. We would like to work with existing training establishments that would be willing to put forward a selection of trainees and individuals to act as supervisors/assessors to take part in the pilot scheme. This would involve the completion of the portfolio by the trainee throughout the training period and assessment of the portfolio by the supervisors/assessors during and at the end of the period against the draft standards. It would also involve feedback by all participants to the SRA on the process, the portfolio and the assessment. We would welcome expressions of interest at this stage from any firms/organisations that take trainees keen on finding out more about being involved in the pilot. Please e-mail any expressions of interest to [simon.bullock@sra.org.uk](mailto:simon.bullock@sra.org.uk), with the subject 'WBL pilot - organisation'.
47. We also intend to pilot the proposals on a sample of LPC graduates who are working at an appropriate level in legal environments and who believe they can demonstrate the required standards but are not in a formal training contract. In order to do this, we will need to identify individuals who would be willing to be

trained, under contract to the SRA, as supervisor/assessors. The exact nature of the supervisor/assessor role and the skills required for this role have not yet been agreed, but we would welcome expressions of interest from individuals wishing to learn more. Existing training organisations and providers would be a potential source of assessors/supervisors for those not following the accredited route to work based learning. Individuals seeking to fulfil these roles would need to be able to commit the necessary time to attend training and feedback sessions and to meeting with and assessing individuals seeking to qualify as a solicitor. Please e-mail any expressions of interest to [simon.bullock@sra.org.uk](mailto:simon.bullock@sra.org.uk), with the subject '*WBL pilot assessors*'.

48. We will also need to identify LPC graduates who have not secured a training contract but are working at a suitable level in suitable legal environments to take part in the pilot. Consideration will be given to the most appropriate means of selecting these candidates once the assessment method and the guidance on these routes to qualification has been fully developed.

**Please note**

To download the annexes to this paper, visit [www.consultations.sra.org.uk](http://www.consultations.sra.org.uk) and select "Work based learning".