

Training for Tomorrow: Regulation review

On 16 October we published our policy statement, Training for Tomorrow, in which we set out our proposals for radical reform of our regulatory framework for legal education and training. Those proposals have been informed by recognition that for too long we have been doing too little to assure appropriate standards and have instead been overly preoccupied with detailed educational design and inputs. We intend to move our attention from prescribing the educational “how” and to focus instead on assuring standards of competence against a framework which is fit for modern legal practice.

During 2014 we will be consulting on the first phase of our ambitious plans; this includes proposals for a competence framework which specifies the knowledge, skills and behaviours required of newly qualified solicitors and on the structure of a new CPD scheme. Before that, and consistent with our wider Red Tape Initiative, we want to remove the layers of regulation which neither assure quality nor enable excellence. We think this will enable us more effectively to regulate the current education and training framework and will lay the ground for the future.

Our vision

Our vision is simple; to remove, curtail or simplify regulations and processes which are not demonstrably in the public interest, impeding both those we regulate and our ability to focus on the issues that really matter. This will only be achieved when our Regulations contain no more than what is necessary – and what is unnecessary is taken away.

Purpose of the consultation

A key strand of our proposals within Training for Tomorrow is a commitment to remove unnecessary regulatory burdens and improve processes. We are undertaking an immediate review of the regulatory requirements that underpin our current education and training framework as a first step towards achieving this aim. Our intention is to remove any regulatory requirements or processes which are unnecessarily prescriptive and do not help us achieve our regulatory objectives.

This consultation sets out our proposals for regulatory change. We are not at this stage changing any of the requirements of the current qualification pathway – that is, the requirements to complete the academic stage of training, the Legal Practice Course, a two year period of training with an authorised training provider and the Professional Skills Course. We do intend to remove any unnecessary prescription about how these stages should be completed and any related requirements which do not serve a clear regulatory purpose.

Our first step is to focus on the essentials of our education and training framework: to state them in plain and clear terms and remove unnecessary and artificial requirements and processes. This approach mirrors our strategic approach as an outcomes-focussed regulator and our Red Tape Initiative, now in its third phase. Initial reforms of our training requirements were undertaken under the first phase of the Red Tape Initiative, and we have responded to suggestions made by stakeholders during that process. These proposals go beyond our contribution to the first phase to reflect our understanding of the risks to legal services provision and to the public interest, and provide a sound platform for us to deliver a system of education and training that is fit for a 21st century legal market.

Structure

The first change we will make to the regulations is structural; we are not consulting on this as it does not affect our policies in any way.

The current education and training requirements for solicitors are set out in the Training Regulations 2011. They are split into three parts - Qualification Regulations, Training Provider Regulations, and Continuing Professional Development Regulations. There is also another set of regulations governing the authorisation of LPC providers that currently sit outside the Handbook – the Monitoring of Courses Regulations 1991.

The new regulations bring the qualification and authorisation requirements for individuals and providers together as a coherent whole. The Continuing Professional Development (CPD) Regulations will remain separate for now, as our proposals for a revised CPD scheme are currently being developed and will be the subject of consultation during 2014. The regulations governing the Qualified Lawyers Transfer Scheme are also unaffected.

The Proposals

Proposal 1 – Remove complex and inflexible exemption arrangements

To introduce the concept of “equivalent means”, creating greater flexibility within the current routes to qualification by enabling us to recognise equivalent education and training

What was the original purpose of the regulations?

Most people seeking to qualify as a solicitor must complete a series of specified stages of education and training, a qualifying law degree (QLD) or the Common Professional Examination (CPE), followed by the vocational stage – the Legal Practice Course (LPC), training contract, and Professional Skills Course (PSC). The current regulations are built around completion of these stages in the prescribed order and with strict limitations on what other forms of education and training can be recognised as satisfying our requirements. These situations are dealt with by granting an exemption from our requirements or by including provisions within the Training Regulations relating to specific circumstances. For example, the current regulations allow specific exemptions for Chartered Legal Executives and Justices Clerks Assistants.

Why are we recommending this change?

The current provisions restrict our ability to recognise diverse means of satisfying our requirements even when we can see that an individual has met the same outcomes to the standard which we specify. This means that we cannot at the point of application be transparent about the circumstances in which we will recognise other qualifications and individuals instead have to try and demonstrate that their circumstances are sufficiently exceptional to justify an application for exemption or waiver.

The new regulations will allow for the completion of the academic stage “by equivalent means” (see new regulation 2.2) provided that what is presented as equivalence is assessed by us against explicit criteria and is supported by appropriate evidence supplied by the applicant. This will allow us to continue to ensure that standards are secured but without the need for detailed prescription within the regulations which may be restrictive and impose unnecessary barriers to some individuals.

The new regulation will also provide a regulatory basis for assessing individuals who seek to qualify under the principle established in *Case C-313/01 Morgenbesser v Consiglio dell’Ordine degli avvocati di Genova (13 November 2003)*. This requires us to assess the competences of part-qualified EU national lawyers holistically, by evaluating their abilities, knowledge and competence to be a solicitor. Currently, we deal with these applicants outside the scope of any specific regulation. The proposed change will bring these cases within the scope of our regulatory framework.

We do not anticipate that this proposal will give rise to any negative impacts in terms of equality and diversity or regulatory risk. The regulation will be supported by clear and transparent criteria and guidance on how we will deal with applications under this regulation. These changes have the potential to have a positive impact as they will result in greater flexibility to consider candidates from diverse backgrounds who have demonstrated they meet our outcomes to our standard through equivalent means.

Consultation questions

- Do you agree with the proposal?
- Are there any consequences, risks and/or benefits that have not been outlined?
- Are there any costs that have not been anticipated?

Proposal 2 – Remove the requirement for a certificate of completion of the academic stage to be issued by the SRA

To remove the necessity for students to apply to us for a certificate to confirm that they have completed the academic stage of training.

What was the original purpose of the regulation?

The purpose of the regulation was to provide certification that a student had completed the academic stage of training as specified by us. Under the current approach, we check that a student has completed the academic stage by analysing their degree or CPE results and then issuing a letter to the student confirming this. The student is then required to present the letter to their prospective LPC provider.

Why are we recommending the change?

The current process is bureaucratic and unnecessary. All students completing their academic studies are provided with a transcript of their results which evidences their completion of study and standards achieved. This is a requirement of the UK higher education regulator, the Quality Assurance Agency (QAA). The transcript is the best evidence of a student's academic achievements and is recognised across the higher education sector and by employers.

Students who progress onto the LPC are required to show their transcripts to their providers as part of the admissions process. Requiring students to make a separate application to us for recognition of completion of the academic stage is therefore a duplication of existing systems and structures.

Our proposal will remove an unnecessary application process for students, and will relieve education providers of reporting something to us which they will themselves subsequently check.

Consultation questions

- Do you agree with the proposal?
- Are there any consequences, risks and/or benefits that have not been outlined?
- Are there any costs that have not been anticipated?

Proposal 3 – Remove duplicated arrangements for the CPE and LPC

To remove requirements which duplicate the regulatory requirements placed on higher education institutions (HEIs) by the Quality Assurance Agency (QAA)

What was the original purpose of the regulation?

The Qualification Regulations contain detailed requirements about an individual's eligibility to commence the CPE, seek exemptions, and change from one provider to another part way through their studies. They also detail successful completion of the LPC. The regulations were developed prior to the creation of the QAA to quality assure aspects of the education and training framework.

Why are we recommending this change?

The requirements which we need to place on providers to assure the quality and standards of provision are set out in our procedures for approving CPE and LPC providers. There are robust procedures for authorising providers and validating course provision and so the requirements do not need to be duplicated in the Training Regulations.

The QAA is recognised as the sole agency with responsibility for the assurance of academic standards and the quality of higher education in the UK. It safeguards standards and improves the quality of UK higher education by defining the expectations for quality and academic standards that all HEIs must meet in the Quality Code for Higher Education. Those parts of the current regulations which duplicate QAA requirements are therefore unnecessary. This includes for example, arrangements and procedures for students who are transferring from one institution to another. Providers which are not subject to the QAA's Quality Code and other requirements will only be validated on condition that they agree voluntarily to comply with them.

The current provisions also contain inconsistencies which we wish to remove. Applications for exemptions from part of the QLD are dealt with by providers in compliance with the QAA Quality Code on the accreditation of prior learning¹ whereas applications for exemptions from the CPE are dealt with and processed by us. We propose a consistent approach to exemptions by placing responsibility on QLD and CPE providers to give accreditation for prior learning where they consider it appropriate. We will focus our effort on ensuring that at the point of approval, the provider has in place sound policies and practices to deal with the accreditation of prior learning.

We do not anticipate any impacts on individuals, except a general benefit to all students from a streamlining of processes and removal of duplication.

¹ See QAA's Quality Code Chapter B6. 1 See QAA's Quality Code Chapter B6. <http://www.qaa.ac.uk/AssuringStandardsAndQuality/quality-code/Pages/Quality-Code-Part-B.aspx>

Consultation questions

- Do you agree with the proposal?
- Are there any consequences, risks and/or benefits that have not been outlined?
- Are there any costs that have not been anticipated?

Proposal 4 – Clarify the regulatory requirements for training (1)

To remove the requirement for training to take place under the terms of a contract specified by us.

What was the original purpose of the regulation?

A key principle of our training requirements is that intending solicitors must develop practical competence in the workplace. Over the past thirty years or so this has been achieved through service under a training contract.

During the two year period of training we expect trainees to receive:

- training in at least three distinct areas of law and practice,
- experience which allows a trainee to develop their skills to meet the Practice Skills Standards and includes guiding and tutoring in professional conduct, ethics, and client care,
- training which is properly supervised and regularly appraised

at an organisation approved and regulated by us for that purpose.

Additionally we specified that this training should take place under a standard contract provided by and registered with the regulator.

Why are we recommending the change?

We do not propose at this stage to change the requirements relating to the content and duration of training. We believe that our regulatory focus should be on defining and assuring the standard and quality of training, and being able to take appropriate remedial action where those requirements are not met. We do not consider we should be specifying the employment rights and obligations which subsist between the trainee and the training provider.

We propose removing the need for training to take place according to the terms of a contract prescribed by us. Our requirements for trainees are instead expressed through the concept of a period of “recognised training” (new regulation 5.1). We also propose removing the provision that says that a training contract cannot be ended without the express permission of the SRA.

We will still require an authorised training provider to notify us about every individual commencing a period of recognised training. In this way we will still capture information about the number of individuals in recognised training at any time.

Our proposal maintains the requirements relating to the content and breadth of training, as well as supervision, appraisal, maintenance of a training record and final sign-off by the training principal. We also retain our quality assurance role: we can still require further training if we are not satisfied that the training is adequate, revoke authorised training provider status, and/ or refuse to recognise a period of training.

One of the drivers behind these changes is our involvement in contractual and dispute resolution issues². When a trainee leaves a firm before the end of their contract, the current arrangements mean we have to terminate that contract. If it is by way of mutual agreement, it is a straightforward decision, but it requires a formal application to us and an unnecessary waiting period for both trainee and provider. If there is a redundancy or disciplinary situation, again an application to us must be made, but the decision becomes less straightforward and a matter for an SRA adjudicator.

We never refuse to terminate – a regulator cannot force an employer to reinstate an employee, nor do we impose financial penalties as the Employment Tribunal might. We decide whether to recognise, or ‘bank’, the experience the trainee has accrued. Furthermore, the trainee may not commence another contract until we terminate the first. This bureaucratic approach adds no value and offers no additional protection over and above those under general employment law; in situations of dispute it is the Employment Tribunal, not the SRA, to whom the trainee should refer. Our involvement in this process adds a layer of bureaucracy and confusion; and it is not normally part of a regulator's functions to become involved in contractual issues relating to employment (the SRA is not involved in other aspects of lawyers' employment).

The training contract is a contract of apprenticeship. This leads to enhanced obligations on the parties. For example, an employer can terminate a contract of apprenticeship early only where there is serious misconduct, the apprentice is so incapacitated that he or she is incapable of being trained or where the business has closed or fundamentally changed. Where a trainee is unfairly dismissed, compensation can reflect loss of earnings and the loss of prospects attaching to the qualified position to which the apprenticeship ultimately leads. This position would be unaffected by our proposals.

However, we acknowledge that moving our requirements in relation to the training contract from the terms of the contract into our training regulations affects the trainee's contractual remedies against their employer. It has been argued that trainees are in a vulnerable position, and that therefore some additional protection should be preserved. An alternative approach would be to require training providers to incorporate regulations 11 and 12 into their contract with a trainee, to give trainees an express contractual remedy against their employer should these be breached.

² currently set out in Qualification Regulations 23.3, 25, 26 and 27 and Training Provider Regulations 4.1(d), 4.2, 6.1(e) and (f), 13 and 14.5

Consultation questions

- Do you agree with the proposal?
- Do you agree that we should not specify any of the terms of the training contract? Or are there particular arguments which would justify the regulator requiring employers to incorporate regulations 11 and 12 into all training contracts?
- Are there any consequences, risks and/or benefits that have not been outlined?
- Are there any costs that have not been anticipated?

Proposal 5 – Clarify the regulatory requirements of training (2)

To remove the restrictions on the number of trainees a firm may train, and how many practising certificates a training principal must have in order to hold that role.

What was the original purpose of the regulation?

We sought to ensure the quality of training provision by limiting the ratio of trainees to partners and senior solicitors (2:1) and by specifying the number of practising certificates which must be held by a solicitor seeking to take on the role of training principal (one current and four previous consecutive certificates).

Why are we recommending the change?

The trainee/partner ratio was meant to ensure adequate supervision for trainees and their socialisation into the profession with qualified and experienced practitioners. There is, however, no data to support the assumption that the quality of training and supervision is assured by specifying minimum numbers and it may unjustifiably restrict the number of training places available. Similarly the four practising certificate requirement for training principals was intended to guarantee experience and expertise.

We receive a large number of applications for waivers from both requirements. We are able to grant almost all of these waiver applications because they demonstrate that there is no risk to the quality of training. These are restrictive requirements which create artificial barriers and unnecessary bureaucracy. The large number of waiver applications indicates that the current regulations do not deal with current training systems. Our regulations should reflect our focus on the quality of the training, not artificial, arbitrary measures such as the ratio of trainees to partners and numbers of practising certificates.

A more appropriate means of establishing the ability of a training provider to deliver good training is to look more holistically at their resources and infrastructure. We are drafting criteria to support good decision making which will better recognise the various business structures delivering legal services.

Our new regulations replace the requirements on “training establishments” and “supervisors” with a new concept of an “authorised training provider”³. An authorised training provider is responsible to us for providing trainees with the appropriate training experience to the standard we specify. The provider is required to nominate a training principal who is able to ensure that the requirements for training are met, and to ensure the right people supervise their trainees.

We believe that removing unnecessary restrictions and focusing on the quality of training will have no negative impacts, and could possibly encourage firms to offer more training contracts.

Consultation questions

- Do you agree with the proposal?
- Are there any consequences, risks and/or benefits that have not been outlined?
- Are there any costs that have not been anticipated?

Proposal 6 – Rephrase the requirement for trainees to experience a breadth of legal practice

To remove the requirement for development of skills in “contentious” and “non-contentious work”, and amend the wording of the three areas of law requirement to “at least three distinct areas of English law and practice”.

What was the original purpose of the regulation?

These requirements were intended to ensure breadth in trainees’ experience so that they have a rounded legal education and training at the point of admission.

Why are we recommending the change?

We currently specify three requirements to ensure a trainee has a broad training. They are that the trainee;

1. gains experience in three distinct areas of law,
2. gains experience in contentious and non-contentious work, and
3. meets the requirements set out in the SRA’s Practice Skills Standards.

The Practice Skills Standards on their own state our expectations of the depth and breadth of a trainee’s training. They include requirements relating to contentious, or dispute-based, matters, such as skills in advocacy and dispute resolution, as well as requirements relating to all matters whether contentious or not, such as case management and client care. We believe that our current requirements therefore overlap and that there is no need for us to specify a requirement for experience of

³ see new Regulations 9 and 10 and the new Glossary definition

“contentious work” and “non-contentious work” over and above what is set out in our Practice Skills Standards. This proposal does not substantively change the requirement for both contentious and non-contentious work.

Moreover the current requirement for firms to provide “practical experience in at least three distinct areas of English law” does not reflect the typical areas of modern practice. It is more accurately and practically restated (in new regulation 11.1(b)) as “practical experience in at least three distinct areas of English law and practice”. This provision will also have the effect of reinforcing the practice requirements set out in the Practice Skills Standards.

As the requirements are remaining broadly similar, we expect few impacts, beyond alleviating confusion which often results in queries to us over whether periods of experience, and even particular pieces of work, are contentious or not.

Consultation questions

- Do you agree with the proposal?
- Are there any consequences, risks and/or benefits that have not been outlined?
- Are there any costs that have not been anticipated?

Proposal 7 – Remove the requirement for student enrolment

To remove the requirement in part 3 of the Qualification Regulations to have student enrolment in place before commencing a Legal Practice Course and serving under a training contract.

What was the original purpose of the regulation?

This requirement facilitated student membership and early engagement on behalf of the professional body with its student members. It also provided a mechanism for an early check on students’ suitability to enter the profession.

Why are we recommending the change?

From a regulatory perspective, the student enrolment process has only one function; it provides an early check on someone’s character and suitability to enter the profession. Under the present system we enrol c9000 individuals as student members each year. Approximately 3% of these 9000 present a suitability issue requiring assessment and only a small percentage of those are ultimately refused student enrolment. We believe there is therefore a more targeted, proportionate and efficient way of identifying character and suitability issues.

This proposal removes the requirement for all students to apply for student enrolment before commencing the LPC and replaces it with a requirement that anyone with a character and suitability issue disclose it to us for assessment before they commence a period of recognised training.

New regulation 6 actively requires individuals to disclose to us any character and suitability issues they may have. This must happen before the period of training starts: that is the point at which the need for public protection arises. It is not a global requirement for all prospective trainees – only those with issues need apply to us. Students with a character and suitability issue who are concerned about incurring the costs of the LPC may also apply to us prior to commencing the LPC for formal assessment under the Suitability Test.

No individual will be allowed to commence a period of recognised training until all character and suitability issues have been considered by us and a decision made. We will apply the standards of our Suitability Test exactly as we apply them at admission. This ensures that we properly address risks and meet our responsibility to the public to ensure that trainees involved in providing legal services to clients are suitable and of appropriate character. We will provide guidance so that all those going through the process will be aware that if they have issues, they must notify us.

This solution, unlike the current student enrolment system, is targeted and proportionate to risk. There is still a requirement to disclose character and suitability issues at the point of admission and we will treat any failure to disclose when required as *prima facie* evidence of dishonesty.

We expect students to benefit from these streamlined processes, including the cessation of the £80 enrolment fee, and we do not anticipate any impacts in terms of equality and diversity. In terms of regulatory impact, we do expect that this will allow a clearer focus on cases of actual risk.

Consultation questions

- Do you agree with the proposal?
- Are there any consequences, risks and/or benefits that have not been outlined?
- Are there any costs that have not been anticipated?

The revised regulations are annexed to this document (annex 1). The existing regulations can be found at <http://www.sra.org.uk/solicitors/handbook/introAuthPrac/content.page> and, accompanying the revised regulations in this document is a Table of Destinations showing where the current requirements appear in the new version (annex 2).

SRA Training Regulations [2014] Part 1 - Qualification and Provider Regulations

Introduction to the Training Regulations [2014] Part 1 - Qualification and Provider Regulations

Preamble

Authority: Made on the [date of LSB approval, 2014] by the Solicitors Regulation Authority Board under section 2, 28, 79, and 80 of the Solicitors Act 1974, with the approval of the Legal Services Board under paragraph 19 of Schedule 4 to the Legal Services Act 2007.

Date: The regulations came into force on [2014].

Replacing: The SRA Training Regulations 2011 Part 1 – Qualification Regulations, the SRA Training Regulations Part 2 – Training Provider Regulations 2011 and the Monitoring of Courses Regulations 1991.

Regulating: Any individual seeking to be admitted as a solicitor and any organisation providing, or intending to provide, recognised training or the LPC or PSC. These regulations do not apply to those seeking admission under the SRA Qualified Lawyer Transfer Scheme Regulations 2011.

Overview

Outcomes-focused regulation concentrates on providing positive outcomes, which when achieved, will benefit and protect *clients* and the public. These regulations, together with the *SRA Training Regulations Part 2 – Continuing Professional Development Regulations*, form the *SRA Training Regulations*, which set out the outcomes-focused requirements governing the education and training for people seeking to be admitted as *solicitors* and those providing training.

Education and training underpins the regulation of *solicitors* – it ensures the creation of competent and ethical practitioners. *We* regulate and set requirements for all stages of pre-qualification training in order to ensure that individuals have achieved the required level of competency before admission as a *solicitor*.

The Principles

The regulations form part of the Handbook, in which the 10 mandatory *Principles* are all-pervasive. They apply to all those *we* regulate and to all aspects of practice. Outcomes relevant to education and training are listed beneath the *Principles*.

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You must:

1. uphold the rule of law and the proper administration of justice;
2. act with integrity;
3. not allow *your* independence to be compromised;
4. act in the best interests of each *client*;
5. provide a proper standard of service to *your clients*;
6. behave in a way that maintains the trust the public places in *you* and in the provision of legal services;
7. comply with *your* legal and regulatory obligations and deal with your regulators and ombudsmen in an open, timely and co-operative manner;
8. run *your* business or carry out *your* role in the business effectively and in accordance with proper governance and sound financial risk management principles;
9. run *your* business or carry out *your* role in the business in a way that encourages equality of opportunity and respect for diversity; and
10. protect *client money* and *assets*.

Outcomes

The outcomes which apply to these regulations are that, if *you* qualify as a *solicitor*, *you*:

- O(TR1) will have achieved and demonstrated a standard of competence appropriate to the work *you* are carrying out;
- O(TR2) will have had such competence objectively assessed where appropriate;
- O(TR3) will have undertaken the appropriate practical training and workplace experience;
- O(TR4) are or proper *character and suitability*;
- O(TR5) will have achieved an appropriate standard of written and spoken English; and

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O(TR6) act so that clients, and the wider public, have confidence that outcomes TR1-TR5 have been demonstrated.

You must achieve, and where relevant continue to meet, these outcomes.

These outcomes, and the regulations that flow from them, apply to *unadmitted persons* - i.e. those who are intending to become a *solicitor* under these regulations and have declared a *character and suitability* issue or have commenced a period of *recognised training* - and to *approved education providers, authorised education providers* and *authorised training providers*.

Part 1: Interpretation

Regulation 1: Interpretation and definitions

- 1.1 The SRA Handbook Glossary 2012 shall apply to these regulations and, unless the context otherwise requires:
- (a) all italicised terms shall be defined; and
 - (b) all terms shall be interpreted;
- in accordance with the *Glossary*.

Part 2: Education and training requirements

Regulation 2: Admission as a solicitor

- 2.1 *We will admit you as a solicitor if:*
- (a) *you have completed the academic stage;*
 - (b) *you have completed the vocational stage;*
 - (c) *you have complied with the SRA Admission Regulations; and*
 - (d) *we are satisfied as to your character and suitability to be a solicitor in accordance with Part 1 of the SRA Suitability Test.*
- 2.2 *We may admit you as a solicitor if you have completed all or any part of 2.1(a) or (b) by equivalent means.*
- 2.3 *Where 2.2 applies you must apply to us in writing in the form we prescribe and support your application with such evidence as we consider necessary.*

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Regulation 3: Eligibility to undertake the academic stage and vocational stage

- 3.1 Your eligibility to commence the *academic stage* will be determined according to the requirements, approved by *us*, of the *approved education provider*.
- 3.2 Your eligibility to commence the *LPC* will be determined according to the requirements, approved by *us*, of the *authorised education provider*.

Regulation 4: Vocational stage

- 4.1 To complete the *vocational stage* you must:
- (a) complete the *LPC* with an *authorised education provider*;
 - (b) complete a period of *recognised training* with an *authorised training provider*; and
 - (c) complete the *Professional Skills Course* with an *authorised education provider*;

unless *we* are satisfied that *you* have completed any part of the *academic stage* or the *vocational stage* by equivalent means.

Regulation 5: Recognised training

- 5.1 Subject to regulation 2.2, *you* must complete a period of *recognised training* before *we* admit *you* as a *solicitor*.
- 5.2 The *recognised training* is required to enable *you* to meet the *Practice Skills Standards* and comply with the *Principles* and shall normally be not less than two years if undertaken *full time* or pro-rata if *part time*.
- 5.3 *You* must maintain a *record of training* in accordance with regulation 14.
- 5.4 If at any time *we* are not satisfied that *you* have received or are receiving *adequate training*, *we* may:
- (a) refuse to recognise all or any part of the training undertaken;
 - (b) require *you* to undertake further training; or
 - (c) impose any condition or take any other action that *we* consider necessary.
- 5.5 *Your training principal* must certify to *us* in a form *we* prescribe that *you* have completed the *recognised training* required by regulation 5.

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Regulation 6: Character and suitability

- 6.1 *You must request us to assess any issue which may cause you to not meet the requirements of the SRA Suitability Test before you commence any period of recognised training.*
- 6.2 *If you have asked us to assess any issue which may cause you not to meet the requirements of the SRA Suitability Test, you are not eligible to commence or continue recognised training until we have reached a decision on your request.*
- 6.3 *If you do not notify us of any issue under regulation 6.1 which may cause you to not meet the requirements of the SRA Suitability Test we may refuse to recognise training undertaken during this period and treat your failure to notify us as prima facie evidence of dishonest behaviour.*
- 6.4 *We may determine on the grounds of your character and suitability to be a solicitor that you are not eligible to commence or continue recognised training. You may make up to three further applications for eligibility to commence recognised training after intervals of not less than 12 months from the final determination of your previous application.*
- 6.5 *By making a request for assessment of a character and suitability issue under regulation 6.1 you become subject to these regulations.*
- 6.6 *You must disclose any new character and suitability issue to us at any time:*
- (a) *following a request for assessment of a character and suitability issue under regulation 6.1; or*
 - (b) *after commencing a period of recognised training.*

Regulation 7: Exemptions from the academic stage

- 7.1 *You may be entitled to credit for prior certified or experiential learning which may entitle you to exemption from assessment in some subjects required by the Joint Statement. Applications for credit for prior learning shall be made to the approved education provider in accordance with its policies and procedures for accreditation of prior learning.*

Part 3: Approved education providers and authorised education providers requirements

Regulation 8: Approved education providers

- 8.1 *Only an approved education provider may provide and assess:*

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- (a) a *QLD*;
- (b) a *CPE*; or
- (c) an *Exempting Law Degree*.

8.2 An organisation may apply to *us* in the prescribed form to be an *approved education provider*.

Regulation 9: Authorised education providers

- 9.1 Only an *authorised education provider* may provide and assess the *LPC* and/or the *PSC*.
- 9.2 We may grant any approval or authorisation under regulation 8.2 and 9.1 respectively, subject to conditions and for such period, as we consider appropriate.
- 9.3 We may from time to time monitor the relevant programmes of study provided by an *approved education provider* and *authorised education provider*, including visiting the provider's premises.

Part 4: Authorised training providers requirements

Regulation 10: Authorised training providers

- 10.1 Only an *authorised training provider* may provide *recognised training* to *trainee solicitors*.
- 10.2 To provide *recognised training* an *authorised training provider* must:
 - (a) meet the requirements for authorisation set out in regulation 11;
 - (b) have a *training principal* who meets the requirements of regulation 13;
 - (c) meet the requirements for *recognised training* set out in regulation 12;
 - (d) notify *us* in the prescribed form of any individual who will commence a period of *recognised training* with the *authorised training provider*, and
 - (e) pay the *trainee* at least the single hourly rate of the national minimum wage specified in s.11 of the National Minimum Wage Regulations 1999 as amended from time to time.

Regulation 11: Requirements for authorisation as a training provider

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- 11.1 To become an *authorised training provider*, an organisation must make an application in the form prescribed by us.
- 11.2 An application submitted under regulation 11.1 should demonstrate that the organisation is able to provide training:
- (a) and experience in at least three distinct areas of English law and practice;
 - (b) to enable a trainee to develop the skills needed to meet the *Practice Skills Standards* and comply with the *Principles*;
 - (c) which is appropriately supervised; and
 - (d) which meets the requirements of regulation 12.
- 11.3 We may refuse to authorise any organisation or may grant authorisation with or without conditions and for such period as we consider appropriate.

Regulation 12: Requirements of recognised training

- 12.1 An *authorised training provider* must provide a *trainee* with training which:
- (a) is supervised by *solicitors* and other individuals who have the necessary skills and experience to provide effective supervision, to ensure that the *trainee* has relevant learning and development opportunities and personal support to enable the *trainee* to meet the *Practice Skills Standards*;
 - (b) provides practical experience in at least three distinct areas of English law and practice;
 - (c) provides appropriate training to ensure that the *trainee* knows the requirements of the *Principles* and is able to comply with them; and
 - (d) includes regular review and appraisal of the *trainee's* performance and development in respect of the *Practice Skills Standards* and the *Principles*, and the *trainee's record of training*.
- 12.2 If an *authorised training provider* is not able to provide training in all areas of the *Practice Skills Standards* or in at least three distinct areas of English law and practice, the requirements of regulations 12.1(a) and 12.1(b) may be satisfied by a *secondment* of the *trainee*.
- 12.3 An *authorised training provider* may recognise previous relevant work-based experience undertaken by the *trainee* as satisfying up to six months of the required period of *recognised training*.

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12.4 An *authorised training provider* must certify to *us* that a *trainee* is of the proper *character and suitability* to be admitted as a *solicitor*.

Regulation 13: Training principal

13.1 A *training principal* must:

- (a) hold a current practising certificate or be a practising *barrister*;
- (b) be competent to meet the requirements of these regulations;
- (c) ensure that the training provided meets the requirements of regulation 12;
- (d) ensure that the *trainee* maintains a *record of training* which will meet the requirements of regulation 14;
- (e) ensure that any person involved in the training and supervision of a *trainee* has adequate legal knowledge and experience in the practice area they are supervising and the skills to provide effective supervision; and
- (f) certify to *us* in the form *we* prescribe that the *trainee* has completed the *recognised training* required by regulation 5.

Regulation 14: Record of training

14.1 The *trainee* must maintain a *record of training* which:

- (a) contains details of the work performed;
- (b) records how the *trainee* has acquired, applied and developed their skills by reference to the *Practice Skills Standards* and the *Principles*;
- (c) records the *trainee's* reflections on his or her performance and development plans; and
- (d) is verified by the individuals supervising the *trainee*.

Regulation 15: Monitoring of recognised training

15.1 *We* may monitor the training provided by an *authorised training provider*. Monitoring may include a visit to the *authorised training provider*.

Regulation 16: Revocation of authorised training status and refusal to recognise training

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- 16.1 We may revoke *authorised training provider* status or grant continued authorisation subject to conditions where the *authorised training provider* has not complied with these regulations or *our* requirements.
- 16.2 Where the *authorised training provider* or the *trainee* has not complied with these regulations or *our* requirements, we may refuse to recognise any training received by the trainee as a period of *recognised training*.

Part 5: Right of review and waivers

Regulation 17: Right of review

- 17.1 If we have:
- (a) refused to grant *authorised education provider* status, or granted approval or authorisation subject to conditions under regulation 8;
 - (b) refused to grant *approved education provider* status, or granted approval or authorisation subject to conditions under regulation 9;
 - (c) refused to grant *authorised training provider* status or granted authorisation subject to conditions under regulation 11;
 - (d) revoked *authorised training provider* status or imposed conditions under regulation 16.1;
 - (e) refused to recognise a period of training under regulations 5.2 or 16.2;
or
 - (f) determined that an individual is not eligible to commence or continue *recognised training* under regulation 6.4;

the applicant may apply for a review of the decision within one month of receiving notification of it.

- 17.2 If an organisation is seeking a review of *our* decision relating to its status as an *authorised training provider*, the organisation must not permit a new *trainee* to commence a proposed period of *recognised training* until the outcome of the review is determined. For trainees already in periods of *recognised training*, we reserve the right to recognise or refuse to recognise part or all of their training in accordance with regulation 5.4.

Regulation 18: Waiver of regulations

- 18.1 In any particular case we may waive in writing any of these regulations, taking into account the requirements of our waivers policy.

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Part 6: Forms and fees

Regulation 19: Forms and fees

- 19.1 Any application made to *us* or notice or certification given to *us* under these regulations must be in the form prescribed by *us* and accompanied by the prescribed fee.
- 19.2 We may require an applicant to support any application under these regulations by such evidence as *we* consider necessary.

Part 7: Commencement and repeal provisions

Regulation 20: Commencement and repeal provisions

- 20.1 These regulations come into force on []
- 20.2 The SRA Training Regulations 2011 Part 1 - Qualification Regulations, the SRA Training Regulations 2011 Part 2 - Training Provider Regulations and the SRA Training Regulations 2011 Part 3 - CPD Regulations are repealed and shall cease to have effect on [].

Annex 2 – Table of Destinations

TABLE OF DESTINATIONS

Training Regulations 2011 Part 1 - Qualification Regulations

| Existing regulation | Subject/requirement | New regulation | Comments |
|---------------------|---|----------------|--|
| 1 | Interpretation | 1 | No change |
| 2.1 | Compliance with regulations | 2.1 | |
| 3.1 | Completion of the academic stage | 2.1 | Detailed description of what constitutes academic stage of training is contained in the glossary |
| 3.2 | Recognise equivalent qualifications | 2.2 | Specific equivalence provisions have been replaced by broader, guidance-supported, provision |
| 3.3 | Certificate of completion of academic stage (CCAS) before commence vocational stage | Removed | Certificate will no longer be issued. Eligibility will be established by provider |
| 3.4 | Certificate of completion before entering into training contract | | Certificate will no longer be issued. Eligibility to commence recognised training period will be established by training provider, but there will be no regulatory requirement for an individual to have completed LPC before training entered into. |
| 3.5 | Certificate of completion for part time training contract before admission | Removed | Certificate will no longer be issued. |
| 4 | Certificates of completion as evidence that academic stage has been completed | 3.2 | Eligibility for admission to CPE and LPC to be established by provider according to provider admission criteria, which are approved by us |
| 5 | Period of validity of CCAS | Removed | No need to state period of validity because certificate will no longer be issued |
| 6.1 | Eligibility to attempt CPE | 3.1 | Eligibility for admission to CPE and LPC to be established by provider according to provider admission criteria approved by us |
| 6.2 | Recognise equivalent qualifications | 2.2 | Specific equivalence provisions have been replaced by broader, guidance-supported, provision |

Annex 2 – Table of Destinations

| Existing regulation | Subject/requirement | New regulation | Comments |
|---------------------|--|----------------|--|
| 7 | Exemptions from parts of CPE | 7 | SRA will no longer consider exemptions applications. QAA requires providers to have in place robust mechanisms for dealing with accreditation of prior learning. Credit for previous accredited or experiential learning can be assessed by providers. AP(e)L procedures to be checked as part of the provider authorisation process |
| 7.3 | Exemption for Chartered Legal Executive or Graduate of CILEX | 2.2 | For full exemptions, specific equivalence provisions have been replaced by broader, guidance-supported, provision. For partial exemptions, providers AP(e)L procedures will be relied upon |
| 7.4 | CPE exemptions can only be sought for 4 or more subjects | Removed | SRA will no longer consider exemptions applications. |
| 7.5 | CPE exemptions not permitted for 3 or less subjects | Removed | SRA will no longer consider exemptions applications. |
| 7.6 | Certificates of exemption issued | 7 | SRA will no longer consider exemptions applications. Rather than 'exempting' because of previous learning, providers will accredit according to its AP(e)L procedures |
| 7.7 | Requirement to commence course by 1 October | Removed | To retain it would be inconsistent with the removal of the QLD 'shelf-life' and would place unnecessary regulatory burden on providers to make course available to enable compliance with time restriction |
| 8.1 | Eligibility to commence CPE | 3.1 | To be assessed by providers' approved admissions requirements |
| 9.1 | Compliance with JASB and provider regs | Removed | Progress and entitlement to remain on the course will be determined by provider regulations, approved by us at provider approval stage |
| 10.1 | Requirement to complete CPE with one | 3 | Eligibility to commence CPE assessed by provider. |

Annex 2 – Table of Destinations

| Existing regulation | Subject/requirement | New regulation | Comments |
|---------------------|---|----------------|--|
| | provider unless exceptional circumstances | | Explicit regulatory bar on transfers removed |
| 11.1 | Vocational stage cannot be commenced before academic stage completed (unless exempting degree , pt training contract) | 3.1 and 3.2 | To be assessed by providers' approved admissions requirements |
| 12.1 | Certificate of enrolment required before enrolment on vocational stage | Removed | An unnecessary and bureaucratic requirement - providers means of establishing eligibility based on completion of courses in academic stage are adequate |
| 13.1(a) | Certificate of enrolment issued if we are satisfied as to character and suitability | 2.1(d) and 6 | Suitability to be assessed at admission (all individuals) or before commencement of period of recognised training (where an issue is disclosed) |
| 13.2 | Discretion to refer to adjudicator | Removed | Decisions on how to deal with suitability issues covered by broader SRA policy on decision making, adjudication process and calling individuals for interview. |
| 14.1 | Certificate of enrolment, once issued, valid for life | Removed | Certificate will no longer be issued. |
| 14.2 | Certificate of enrolment will expire on admission | Removed | Certificate will no longer be issued. |
| 15.1 | Discretion to refuse to issue certificate of enrolment | Removed | Certificate will no longer be issued. |
| 15.2 | Right to review refusal in 15.1 | | Certificate will no longer be issued, so no review provisions required. |
| 15.3 | Right to appeal to High Court | | Certificate will no longer be issued, so no external appeal mechanism required. |
| 15.4 | Individual may make up to 3 applications for enrolment | 6.4 | Decision on Suitability retained at admission, unless individual has a character and suitability issue to disclose under 6.1 before period of training commenced. Right to make up to 3 applications in these cases expressly retained in regulation 6.4 |

Annex 2 – Table of Destinations

| Existing regulation | Subject/requirement | New regulation | Comments |
|---------------------|---|----------------------|---|
| 16 | Completion of LPC | 2 | Requirement to complete LPC retained |
| 17.1 | Must meet LPC Outcomes and Written Standards | 2 | Successful completion of the LPC is determined by providers assessment regs which are approved as part of the provider approval and course validation procedures |
| 17.2 | Completion of LPC requires completion of Stage 1 and Stage 2 | 2 | Successful completion of the LPC is determined by providers assessment regs which are approved as part of the provider approval and course validation procedures |
| 17.3 | An individual may transfer provider for Stage 2 | 3.2 | Transfer provisions are part of the LPC Information Pack |
| 17.4 | Must complete LPC within specified time limit | Removed | See LPC Provider Information Pack - time limit specified as 5 years in LPC provider information pack. Also regulated by providers assessment regulations which will be approved at provider approval and programme validation stage |
| 17.5 | 3 attempts at Stage 1 and then must commence the stage again | Removed | See LPC Provider Information Pack - regulated by providers assessment regulations which will be approved at provider approval and programme validation stage |
| 17.6 | 3 attempts at Stage 2 but if fail need only complete the failed elective | Removed | See LPC Provider Information Pack - regulated by providers assessment regulations which will be approved at provider approval and programme validation stage |
| 18.1 | Requirement to complete adequate training before admission and training to focus on meeting the Practice Skills Standards | 2.1(b), 4.1(b) and 5 | Training contract replaced by concept of 'recognised training' |

Annex 2 – Table of Destinations

| Existing regulation | Subject/requirement | New regulation | Comments |
|---------------------|---|----------------|--|
| 19.1 | Types of training contract | 5.2 | A training contract is no longer a regulatory requirement. The different modes are instead catered for by pro rata requirement for part time trainees |
| 19.2 | Period of training should be two years unless more time is required to meet the Practice Skills Standards | 5.2 and 5.4 | Length of training period retained. We reserve the right to extend period of training where we find inadequate training has been given |
| 20.1 | Requirements to commence a training contract | 2 | Requirements expressed now in relation to admission |
| 21.1 | Part time training contract | 5.2, 12 | Removed some of the detail about number of hours and days required to constitute part time training contract |
| 22.1 | Part time study training contract | Removed | Removed and reframed in the context of recognised training. Removed the variations of training contracts to be caught under the umbrella of recognised training - see reg 11 |
| 23.1 | Registration of training contract | 10.2(d) | Registration of a contract is no longer required. Instead, training providers must notify us that a period of recognised training has commenced. |
| 23.2 | Trainee must receive confirmation from us of registration | Removed | Not required |
| 23.3 | No amendment to training contract without our approval | Removed | Training contract is no longer a regulatory requirement. |
| 24.1 | Keeping record of training | 5.3 and 14 | |
| 25.1 | Permitted absences from training | Removed | Most absences are regulated by employment law. We will still require study leave for the PSC, but this will form part of the conditions of authorisation of training providers rather than regulations |
| 25.2 | Extending training contract if absent for a total of over 4 months | 5.4 | We retain the ability to require more training if we decide that training has not been adequate, in |

Annex 2 – Table of Destinations

| Existing regulation | Subject/requirement | New regulation | Comments |
|---------------------|--|----------------|---|
| | | | terms of length of the period. |
| 26.1 | Termination of training contract | Removed | We are not a party to a training contract but can refuse to recognise training |
| 26.2 (a) | Termination of training contract by mutual agreement | Removed | To be determined between trainee and training provider |
| 26.2 (b) | Termination of training contract because conditions (re eligibility) have not been met | Removed | To be determined between trainee and training provider |
| 26.2 (c) | Termination of training contract because of unresolved dispute | Removed | To be determined between trainee and training provider |
| 26.3 (a) | Termination of training contract because academic stage/vocational stage not completed | Removed | No training contract to terminate. However, where an individual applies for admission without having completed the academic stage or LPC, the individual would not have met the requirements for admission in regulation 2. |
| 26.3(b) | Termination of training contract because unacceptable behaviour | Removed | No training contract to terminate. |
| 26.3(c) | Termination of training contract because can't meet Practice Skills Standards | 5.4 | No training contract to terminate. Failure to meet required standards will result in extension of training period or refusal to recognise the training altogether. |
| 26.3(d) | Termination of training contract because training establishment closes | 5.4 | No training contract to terminate. Disputes arising from redundancy situations would be dealt with the Employment Tribunal. We would simply be notified of the end of one period, and the beginning of another. |
| 26.4(a) | If we are not satisfied that adequate training is given we may remove training provider status | 16.1 | No change to revocation powers |
| 26.4(b) | If we are not satisfied that adequate training is given we may restrict the number of | 16.1 | Restriction of number of trainees may be a condition we decide to add |

Annex 2 – Table of Destinations

| Existing regulation | Subject/requirement | New regulation | Comments |
|---------------------|---|----------------|--|
| | trainees | | |
| 26.4(c) | If we are not satisfied that adequate training is given we may impose conditions | 16.1 | New regulation 15.1 allows the imposition of conditions on training provider approval |
| 26.4(d) | If we are not satisfied that adequate training is given we may terminate training contract | 16.2 | No training contract to terminate. We could instead refuse to recognise any period of training |
| 26.4(e) | If we are not satisfied that adequate training is given we may not count period of training | 16.2 | No training contract to terminate. We could instead refuse to recognise any period of training |
| 26.4(f) | If we are not satisfied that adequate training is given we may require individual to do more training | 16.2 | We retain the ability to require more training if we decide that training has not been adequate. |
| 26.4(g) | If we are not satisfied that adequate training is given we may require training principle to undertake training | 16.1 | Regulation 15.1 allows the imposition of conditions on training provider approval |
| 26.4(h) | If we are not satisfied that adequate training is given we may take any other action | 5.4, 16.2 | Regulation 15.1 allows the imposition of conditions on training provider approval |
| 26.5 | Training provider or trainee may apply for a review of decision made under 26 | 17.1 | Review provisions retained |
| 26.6 | Review body not the same as body making original decision | Removed | Embodied in review principles, not required in regulation |
| 27.1 | SRA will act as conciliator in dispute between training provider and trainee | Removed | Not a regulatory 'requirement' for education and training. |
| 27.2 | We may appoint a conciliator | Removed | Not a regulatory 'requirement' for education and training. |
| 27.3 | We may terminate TC if we can't resolve dispute | Removed | Not a regulatory 'requirement' for education and training |
| 27.4 | Right of review against any decision made under 27.3 | 16 | Right of review against decision not to recognise training is contained in 16 |
| 28.1 | We will admit individual if adequate training given | 2 | |
| 28.2 | Training establishment must certify that | 12.4 | Certification from the provider of adequate training |

Annex 2 – Table of Destinations

| Existing regulation | Subject/requirement | New regulation | Comments |
|---------------------|--|---------------------------------------|--|
| | they are satisfied that adequate training has been given | | is still required. |
| 28.3 (a) and (b) | We will issue Certificate of Satisfaction if adequate training has been given and character and suitability requirements have been met | Removed | Issuing a certificate of satisfaction is covered by the Admission Regulations |
| 28.4 | If we are not satisfied that adequate training has been given we may require individual to undertake more | 5.4 | We retain the ability to require more training if we decide that training has not been adequate |
| 29 | PSC requirements | 4(c) | Requirement to complete the PSC in regulation 4(c). Other requirements have been removed and will feature within the information pack/guidance to be issued to support the regulations. |
| 30; 31; 32 | No requirement to serve under a training contract for CILEx and Justices' Clerks Assistants | 2.2 | The detail around what equivalence is for the purposes of CILEx and JCs will be specified in explicit decision-making criteria and contained in detailed information pack/guidance. No relaxation of requirement but detailed stripped out of regulation to permit SRA to take into account changes made by CILEx etc without a need to change the regulations |
| 33.1 | Powers to cancel student enrolment etc where character and suitability not met | 6 | Although student enrolment is being removed, we will still retain the ability to decide whether someone can commence or continue recognised training under regulation 6 |
| 33.2 | Right of review against decision made under 33.1 | 17 | |
| 33.3 | Right of appeal to High Court | regulation 3 of Admission Regulations | Repeats unnecessarily the provisions of the Admission Regulations |
| 33.4 | Right to make 3 applications to remove prohibition or sanction | 6.4 | |

Annex 2 – Table of Destinations

| Existing regulation | Subject/requirement | New regulation | Comments |
|---------------------|--|---|--|
| 33.5 | Right of appeal to High Court | regulation 3 of Admission Regulations | Repeats unnecessarily the provisions of the Admission Regulations |
| 34.1 | Requirement for students to report to us matters which may affect their suitability | 6.6 | Requirement for student enrolment removed but requirement to notify us of any suitability issue before training commences retained |
| 34.2 | Requirement to report to us matters which may affect their suitability during student enrolment and TC | 6.6 | Requirement for student enrolment removed but requirement to notify us of any new suitability issue retained |
| 34.3 | Trainee must certify suitability after completing training contract | 2.1 and regulation 6 of the Admission Regulations | |
| 34.4 | Failure to notify us of matters under 34.1, 34.2. 34.3 regarded as serious breach | 6.3 and Suitability Test | Non disclosure also dealt with under the Suitability Test |
| 35.1 | CRB disclosure before admission | Removed | Suitability Test gives guidance on the types of evidence we may require when assessing suitability |
| 36.1 | General power to waive | 18 | Now expressly linked to Waivers policy |
| 37 | Forms and fees | 19 | |
| 38 | General statement that admission takes place under Admission Regulations | 2 | |

TABLE OF DESTINATIONS

Training Regulations 2011 Part 2 – Training Provider Regulations

| Existing Regulation | Subject/requirement | New Regulation – Training Regulation 2014 | Comments |
|---------------------|---|---|--|
| 1 | Interpretation | 1 | No change |
| 2.1 | Authorisation of training establishment – who reg 2 applies to | Removed | New regulations speak directly to and do not require clarification of the use of the word “you” |
| 2.2 | Must be authorised provider in order to take a trainee | 10 | |
| 2.3 | Information required for authorisation | Removed | Detailed and largely procedural requirements will instead be contained in the prescribed form/guidance |
| 2.4 | We may authorise, refuse, grant authorisation subject to conditions | 11.3 | |
| 2.5 | Right of review | 17.1 | |
| 2.6 | A variation of a condition which is the subject to review is suspended | Removed | |
| 2.7(a) | If we remove authorised training provider status, right of review applies | 17.1 | |
| 2.7 (b) and (c) | During review period training of existing trainees may continue but new trainee not permitted | 17.2 | |
| 2.8 | Review body not the same as body making original decision | Removed | Embodied in review principles, not required in regulation |
| 3.1 | Regulation 3-14 – to whom regs apply | Removed | New regulations speak directly to and do not require clarification of the use of the word “you” |
| 4.1 (a) | May only take a trainee if an authorised training provider | 9.1 | |
| 4.1(b) | May only take a trainee if trainee has | Removed | Student enrolment no longer required - suitability of |

Annex 2 – Table of Destinations

| Existing Regulation | Subject/requirement | New Regulation – Training Regulation 2014 | Comments |
|---------------------|--|---|---|
| | current and valid student enrolment | | individual to be assessed at admission, or before commencement of period of recognised training if an issue is disclosed |
| 4.1(c) | May only take a trainee if training principal approved by us | 10.2(b) | Requirement to appoint training principal retained for authorisation as a training provider |
| 4.1(d) | Offer must be made to trainee and terms and conditions to be included in the training contract | Removed | No a requirement for recognised training. We will no longer specify the terms of the training contract, but specify the quality of the training |
| 4.2 | The training contract must be in a form we specify | Removed | No a requirement for recognised training. We will no longer specify the terms of the training contract. Focus will instead be on the approval of the training provider and its ability to meet the requirements for recognised training |
| 5.1 | Training provider and trainee must register the TC within 3 months | 9.1(d) | There will be no requirement to register, the requirement is instead to notify us that period of training has commenced and when it is expected to conclude |
| 5.2 | TC must be registered with us within 1 month of the date it was signed and must be in the prescribed form | Removed | There will be no requirement to register, the requirement is instead to notify us that period of training has commenced and when it is expected to conclude |
| 5.3 | Authorised provider may terminate training contract on specified grounds | Removed | Not included in the regulations because we are no longer specifying the contractual arrangement between trainee and training provider |
| 6.1 (a) | Training provider must provide trainees with opportunities in 3 distinct areas of law, development of skills needed to meet the Practice Skills Standards, skills in | 12.1 | Extended to include the Principles but requirements in relation to contentious and non-contentious removed because of lack of clear definitions and duplication with the Practice Skills |

Annex 2 – Table of Destinations

| Existing Regulation | Subject/requirement | New Regulation – Training Regulation 2014 | Comments |
|-------------------------|--|---|---|
| | contentious and non-contentious | | Standards. Requirements for training in 3 'distinct areas of English law' changed to 3 distinct areas of 'English law and Practice' |
| 6.1(b) | Training provider must ensure trainee maintains a TC record | 13.1(d), 14 | This is replaced by a more explicit requirement on both parties |
| 6.1(c) | Training provider must provide close supervision by qualified solicitors or others with appropriate experience | 12.1(a), 13.1(e) | |
| 6.1(d) | Training provider must provide regular feedback and at least 3 appraisals | 12.1(d) | Review and appraisal requirement retained, but minimum number specification removed |
| 6.1 (e) | No amendments to TC unless approved by us | Removed | No longer a requirement because we are not specifying the contractual arrangements between trainee and training provider |
| 6.1(f) | Training provider to allow paid study leave to attend PSC | Removed | Requirement to allow paid study leave for the PSC is no longer in regulations, but will appear as part of the conditions of authorisation of training providers |
| 6.1(g) | Training Provider to pay trainee minimum salary and PSC fees for first attempt | 9.1(e) | Requirement to pay PSC fees not retained in regulations, but will appear as part of the conditions of authorisation of training providers. References to minimum salary replaced by references to Minimum Wages Regs 1999 |
| 6.1(h) | Training provider not permitted to take more than 2 trainees for each partner or senior solicitor with a current and four previous practising certificates | Removed | Any restrictions on offering training to be determined by the training providers application, not automatically imposed |
| 7.1 (a) and (b) and 7.2 | Recognition by training provider of period of previous experience, maximum 6 months | 12.3 | |
| 7.3 | Training provider must notify us of any | Removed | Notification not required |

Annex 2 – Table of Destinations

| Existing Regulation | Subject/requirement | New Regulation – Training Regulation 2014 | Comments |
|---------------------|--|---|--|
| | reduction granted under 7.1 and 7.2 | | |
| 8.1 and 8.2 | Training provider must nominate principal who will be responsible for compliance | 10.2(b) and 13 | |
| 9 | Training provider must have adequate induction of trainees | Removed | This level of detail will be contained in guidance |
| 10.1 (a)-(f) | Content of training that must be provided | 12 | |
| 10.2 | If the requirements of 10.1 can't be met, it can be required by a secondment of the trainee or a modular training contract | 12.2 | |
| 11 | Requirements of secondment | 12.2 | |
| 12 | Requirements of modular training contracts and recognition of training contract consortia | Removed | The concept of a modularised period of training is dealt with by 12.2 and reflected in the revised definition of secondment. Other contractual arrangements not regulated by us – but authorised provider remains responsible for ensuring requirements of training regulations are met. |
| 13 | Permitted absences of trainee | Removed | Not regulated by SRA but by principles of employment law and Working Time Regulations |
| 14.1 | We may monitor training which may include visits to the training provider | 15 | |
| 14.2 and 14.3 | If we consider that inadequate training has been given we may remove authorisation to provide training, prohibit more training, impose conditions, require further training, require training principal to undertake further training, take any other action | 5.4, 11.3, 16.1, 16.2 | |
| 14.4 | Right of review | 17 | |
| 14.5 | We may conciliate disputes between training provider and trainee | removed | Not a regulatory requirement for education and training |

Annex 2 – Table of Destinations

| Existing Regulation | Subject/requirement | New Regulation – Training Regulation 2014 | Comments |
|---------------------|---|---|--|
| 15.1, 15.2 and 15.3 | Responsibilities of training principals and ability to delegate | 13 | |
| 16.1, 16.2, 16.3 | Responsibilities of supervisors of trainees | 12.1(a) | Responsibility for supervision and the quality of the training remains with the training provider and training principal |
| 17.1 -17.5 | Requirements for authorisation as PSC provider | 9 | Detailed guidance to be contained in information packs – as currently the way with LPC providers |
| 18 | Waivers | 18 | Now contains express reference to Waivers Policy |
| 19 | Form and fees | 19 | |