

CPD REGULATIONS

A DEFINITION

(1) Continuing Professional Development (CPD) is defined as:

'To maintain, improve and extend the skills and qualities necessary for the proper performance of professional and legal duties and compliance required by IPS, so as to ensure confidence in the professionalism and competence of CILEx members.'

(2) For the purpose of these regulations references to 'members' means Fellows, Legal Accounts Executives, Graduate members, Legal Accounts Members, Associate members and Associate Prosecutor members of the Chartered Institute of Legal Executives (CILEx)

B CPD REQUIREMENT

(1) The CPD year begins on 1 October and ends on 30 September.

(2) Members of CILEx resident either in the United Kingdom or overseas, with the exception of retired members, are required to undertake CPD in accordance with their grade of membership at the commencement of the CPD year.

(3) Members who are registered in the grades of Fellows, Legal Accounts Executives and Associate Prosecutor must:

- For the CPD year commencing 1 October 2013 undertake a minimum of 16 hours CPD in accordance with the requirements set out at Regulations B(8) to B(15) and complete at least one planned CPD entry on professionalism in accordance with the requirements set out at Regulations B(17) to B(25), except that at Regulation B(19) the references to 5 and 3 entries shall be replaced with 1 entry.
- From the CPD year commencing 1 October 2014 undertake CPD in accordance with the requirements set out at Regulations B(16) to B(25).

(4) Members who are registered in the grades of Graduate members and Legal Account members must:

- For the CPD years commencing 1 October 2013 and 1 October 2014 undertake a minimum of 12 hours CPD each CPD year in accordance with the requirements set out at Regulations B(8) to B(15) and complete at least one planned CPD entry each CPD year on professionalism in accordance with the requirements set out at

Regulations B(17) to B(25), except that at Regulation B(19) the references to 5 and 3 entries shall be replaced with 1 entry.

- From the CPD year commencing 30 September 2015 undertake CPD in accordance with the requirements set out at Regulations B(16) to B(25).
- (5) Members who are registered in the Associate member grade must undertake a minimum of 8 hours CPD during each CPD year in accordance with the requirements set out at Regulations B(8) to B(15) and complete at least one planned CPD entry on professionalism in accordance with the requirements set out at Regulations B(17) to B(25), except that at Regulation B(19) the references to 5 and 3 entries shall be replaced with 1 entry.
- (6) A member who is registered during a CPD year into a grade of membership which is subject to CPD requirements will not need to undertake CPD until the following year.
- (7) A member who is entered into a new grade of membership which is subject to different CPD requirements to the grade of membership they were in at the commencement of the CPD year will undertake CPD in accordance with the grade of membership they were in at the commencement of the CPD year.

CPD Hours

- (8) A member must complete CPD hours commensurate with their grade of membership.
- (9) At least half of the CPD hours completed during the year must be in the member's chosen specialist area (the specialist area) and the rest may be in an area relevant to the member's professional development outside their chosen specialist area (the non-specialist area).
- (10) CPD activities in a member's nominated specialist area may be claimed for up to all the required CPD hours per CPD year.
- (11) CPD activities in a member's non specialist areas may be claimed for up to half of the CPD requirement for the CPD year.
- (12) A member working outside legal practice is required to undertake the full CPD hours, but need not designate a specialist area.
- (13) Excess hours over the minimum required may not be carried forward to the following CPD year.

- (14) A member must record CPD activities undertaken in the CPD year through the online log book recording system available through 'myCILEx'. Sufficient information must be recorded to show the activity undertaken meets the regulations for CPD. Valid CPD activities are described in the guidance to the CPD regulations.
- (15) The guidance sets out the amount of hours that may be claimed for various CPD activities.

Outputs Based Scheme

- (16) A member must complete at least 9 CPD entries under the outputs based scheme each CPD year in accordance with Regulations B(17) to B(25).
- (17) A member undertaking CPD in accordance with the outputs based scheme must reflect upon their practice and identify training and development needs. They must then complete training and development to meet those needs and reflect upon the effectiveness of the learning gained from those training needs. This will be known as the planned CPD.
- (18) A member undertaking CPD in accordance with the outputs based scheme may also count as CPD training and development they have undertaken without planning. In these instances they must reflect upon the learning gained from that activity. This will be known as the unplanned CPD.
- (19) At least 5 entries each year must be planned CPD, of which at least 3 entries must be planned at the commencement of the CPD year. The remaining entries may comprise planned CPD or unplanned CPD.
- (20) At least one of the planned entries must relate to professionalism. Professionalism is defined as CPD which covers ethics, business awareness, social awareness, client care, communication, equality and diversity or time management.
- (21) Additional CPD entries over the minimum required may not be carried forward to the following CPD year.
- (22) A member must maintain a record of the entries of planned CPD, the evaluation of the CPD activity undertaken and how it met or did not meet their training needs and the CPD log. Records must be retained for a period of at least 2 years from the end of the CPD year.
- (23) IPS will sample CPD records. A member whose records are called for sampling must supply to IPS their planned CPD document, evaluation of CPD and CPD log within 28 days of the request.
- (24) IPS may interview members whose records are called for sampling.

- (25) A member whose records are called for sampling or who is selected for interview must respond to reasonable enquiries made by IPS about their CPD activities and CPD records.

Recording CPD

- (26) By 30 September of the CPD year a member must complete and submit to CILEx using the 'myCILEx' CPD recording system a record of the CPD they undertook during that year in the form of CPD hours or CPD entries, as applicable.
- (27) A false declaration regarding completion of CPD will be regarded as misconduct.
- (28) A member who is completing the work based learning scheme may make an application to IPS to reduce the number of CPD entries they complete each CPD year to five entries per year for a maximum period of two years. The reduction will be granted during their participation in the work based learning scheme.

C CHARTERED LEGAL EXECUTIVE ADVOCATES

CPD year 1 October 2013 to 30 September 2014

- (1) For the CPD year 1 October 2013 to 30 September 2014 Chartered Legal Executive Advocates must complete five hours advocacy skills training which will form part of the overall 16 hours CPD required for that CPD year.
- (2) CPD must be gained by attendance at a training course focusing upon advocacy skills.

CPD year commencing 1 October 2014

- (3) From the CPD year commencing 1 October 2014 Chartered Legal Executives are required to undertake at least two CPD entries relating to advocacy skills.

General

- (4) Chartered Legal Executive Advocates are not required to undertake any CPD in respect of the period between the date an Advocacy Certificate is first granted and 30 September of that year.
- (5) Chartered Legal Executive Advocates must send a record of their advocacy CPD to CILEx. The Officer will check the record to ensure that it complies with these Rules.

- (6) Where a Chartered Legal Executive Advocate has failed to undertake CPD which meets the requirements of these Rules or fails to provide a record of such CPD the Officer will refer the matter to the Admissions and Licensing Committee. The Admissions and Licensing Committee will consider whether the Chartered Legal Executive Advocate should retain their Advocacy Certificate. The Chartered Legal Executive Advocate will have the opportunity to make written representations to the Committee and has a right to be heard by the Committee. The Committee may decide to:
- Grant an extension of up to 6 months for the Chartered Legal Executive Advocate to meet their outstanding CPD requirements. The Advocate will still be required to meet their current CPD requirements in the normal way; or
 - Withdraw the Advocacy Certificate until the Fellow complies with the CPD requirements;
and, in either case,
 - Refer the failure to comply with the CPD requirements to IPS for investigation.

D ASSOCIATE PROSECUTOR MEMBERS

CPD year 1 October 2013 to 30 September 2014

- (1) For the CPD year 1 October 2013 to 30 September 2014 Associate Prosecutor members must undertake at least 16 hours CPD.
- (2) At least 8 hours of the CPD must be in advocacy skills training gained by attendance on a training course focusing upon advocacy skills, criminal practice, procedure or knowledge

CPD year commencing 1 October 2014

- (3) From the CPD year commencing 1 October 2014 Associate Prosecutor members must undertake at least nine CPD entries of which at least five entries relate to advocacy skills training, criminal practice, procedure or knowledge.

General

- (4) Associate Prosecutors are not required to undertake any CPD in respect of the period between the date a Level 1 Associate Prosecutor Certificate is first granted and September 30th of that year.

- (5) CILEx will monitor compliance with the CPD requirements. An Associate Prosecutor must send a record of their advocacy CPD to CILEx. The Officer will check the record to ensure that it complies with these Rules.
- (6) Where an Associate Prosecutor has failed to undertake advocacy CPD which meets the requirements of these Rules or fails to provide a record of such CPD the Officer will refer the matter to the Admissions and Licensing Committee. The Admissions and Licensing Committee will consider whether the Associate Prosecutor should retain their Level 1 or Level 2 Certificate. The Associate Prosecutor will have the opportunity to make written representations to the Committee and has a right to be heard by the Committee. The Committee may decide to:
 - Grant an extension of up to 6 months for the Associate Prosecutor to meet their outstanding CPD requirements. The Associate Prosecutor will still be required to meet their current CPD requirements in the normal way; or
 - Withdraw the Certificate until the Associate Prosecutor complies with the CPD requirements;and, in either case,
 - Refer the failure to comply with the CPD requirements for investigation by IPS under its misconduct rules.

E DISPENSATION FROM CPD REQUIREMENTS

- (1) A member who is absent from employment during any CPD year, whether in legal practice or otherwise, for more than 6 months due to illness, unemployment or maternity or paternity leave, need not fulfill their CPD requirement for the year. However, where such members do not meet their CPD obligations, they should undertake a suitable 'Return to Work' scheme prior to, or at the time of, their return to work. This should be completed no later than 2 months after their return to work
- (2) The reason for the absence and the dates must be entered on the member's logbook. Evidence of the reasons for absence from employment due to illness, unemployment, maternity or paternity leave, may be requested by IPS.

F FAILURE TO COMPLY WITH CPD REQUIREMENTS

- (1) A member must complete their CPD logbook online by 30 September each year.
- (2) A member who believes they will be unable to meet the CPD requirements by 30 September may apply for dispensation in respect of Regulation F(1). A request for dispensation must be made no later than 31 August of that

year and must include an explanation of the circumstances which have prevented the member from meeting the CPD requirements. It must also include an action plan to comply with the requirement by 31 December following the end of the CPD year for which the dispensation is sought.

- (3) Unless a reduction has been granted under regulation B(28), or a dispensation has been granted under regulations F(1) or F(2), a member who fails to comply with the CPD requirements by 30 September will have the rights which attach to their grade of Membership suspended from 1 January of the next calendar year. They will not be able to use their grade title or designatory letters or, in the case of Fellows and immigration practitioners, exercise any of their practice rights unless they comply with the requirements.

19 June 2013