

The importance of CPD

Danielle Ingle and **Yasmin Hussain** discuss CILEx Regulation's approach to Continuing Professional Development (CPD).

About the authors

Danielle Ingle is a CILEx Regulation practitioner assistant and Yasmin Hussain is a CILEx Regulation practitioner administrator.

At CILEx Regulation, one of our core values is protecting consumers. We are committed, in the interests of the consumer, to ensuring and preserving the competence of our regulated community.

As a regulator, we continually review the needs of consumers of legal services and set outcomes which help to ensure that CILEx lawyers meet these. We believe that outcomes-focused schemes help to ensure the competence of our regulated community and offer reassurance to consumers.

We believe that on-going training and development through CPD is essential to maintaining competence throughout a legal career. Our outcomes-focused approach has been incorporated into our CPD scheme since October 2013. All CILEx Practitioners, Fellows, Graduates and Associates must complete at least one outcomes-focused CPD activity in Professionalism.

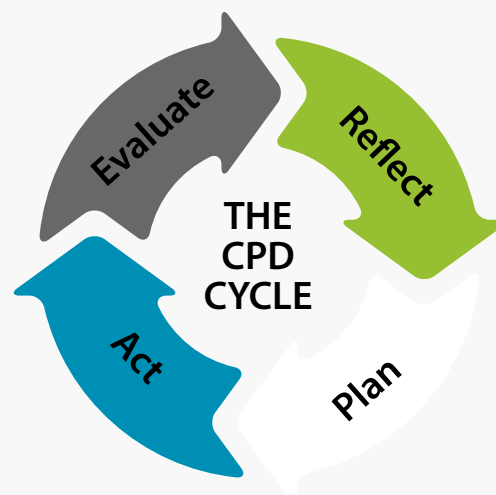
Professionalism has been introduced to promote the idea of competency and good practice. The ethos is to refresh knowledge in significant areas, such as compliance, time management or client care, or update awareness of issues that could have a direct impact on the legal landscape or clients' needs.

The CPD cycle

To support the introduction of outcomes-focused CPD, CILEx created the 'CPD Cycle' to support you when thinking about the process.

The cycle has four elements: reflect; plan; act; and evaluate.

Reflect: Initially, you need to think about the areas you would like, or need, to update yourself in. These could be very specific, such as a new piece of legislation, or more general activities like



researching case-law relating to a wider aspect of the law.

Plan: Once you have decided the areas relevant to you, you should plan the types of activities that will help you to achieve your needs.

Act: This relates to the learning outcome and the activity that will achieve it. The action takes place as a result of highlighting a learning need and choosing a suitable development opportunity.

Evaluate: After completion of an activity, you should briefly evaluate its relevance to you as a professional and the work you do.

The idea of the cycle promotes lifelong learning, career development and serving the needs of the consumer. We would encourage you to think continually about areas where you need to develop, ways in which these could be met, and how relevant activities have been. When you identify a learning need, it may take several attempts to achieve your end goal. CPD should

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never be considered an exhaustive task. There will always be new things to learn and understand.

A flexible approach to learning

Our regulated community represents a diverse group of individuals. Roles in which our members work can vary from legal secretary to partner and from high street to international practice. Others are in roles outside the traditional legal field: working in-house or not in legal practice at all. We ensure that our CPD scheme is not overly rigid, so that it can help the working lives of the whole regulated community to prosper.

The roles in which our regulated community are employed require skills and knowledge to succeed. To maintain the flexibility of the outcomes-based scheme, we rely on you to know and acknowledge areas where you need to update or develop your skills. With this trust-based approach, we believe CPD can support the continual career development of our community and create specialists in a variety of fields and practice areas.

There are many ways in which you can meet CPD requirements. Under our flexible approach, CILEx does not accredit CPD providers. Activities such as in-house training, CILEx Law School updates,¹ attendance at courses, webinars, academic and professional study, reading relevant journals or internet articles can all be used as CPD activities. Each individual is responsible for choosing the CPD activities appropriate for them.

CPD is an annual obligation. Employers are not obliged to allow time off work for you to complete your CPD, although in practice many do. Nor is an employer obliged to fund the cost of your CPD activities.

Getting it right

It is important to comply by the deadline each year. Start considering your development needs early, so you can find relevant activities suitable to meet your outcomes and have enough time to evaluate the benefits of each activity once completed.

Part of the CPD obligation is to log your CPD activities with CILEx online, via the myCILEx recording system, by 30 September at the latest each year. It is best to log your CPD as you complete activities. This way you can avoid a last-minute rush and prevent any issues with logging into your online account at the end of the year that might mean you miss the deadline. CPD records that are incomplete after 30 September will be considered non-compliant.

We understand that there are sometimes exceptional circumstances where you are unable to meet the deadline. In limited circumstances, you can apply for an extension of time. We ask that all requests are made in writing, by 31 August, outlining the reasons for the request and providing plans for how you intend to reach compliance by an extended closing date.

Non-compliance

Being prepared and meeting deadlines reflects another core value for CILEx Regulation, namely, to maintain proper standards of conduct and behaviour within the profession. Where you have not logged your CPD in time and have not requested an extension, you will be considered non-compliant and referred for enforcement action.

If you fail to comply with CPD requirements, the rights attached to your grade of membership, or practice rights, will be suspended from the following 1 January. This means you may not use your grade title or designatory letters or, if you are a Fellow, Associate Prosecutor and or practice rights holder, exercise any of your practice rights, unless and until you comply.

Our aim is to help you avoid non-compliance. If you do not log your CPD in time, we will contact you. We contact Practitioners, Fellows, Legal Accounts Executives and Associate Prosecutors first each year. Shortly after that, we contact Graduates and Legal Accounts members with outstanding CPD, followed by non-compliant Associate members.

We will try to contact you by e-mail, letter or telephone, so it is really important to keep your contact details up to date. The easiest way to do this is online via myCILEx, or you can e-mail CILEx contact centre.² The CILEx membership contact centre advisers can update your record on your behalf on request. If you move house, change jobs, or get a new telephone number, please let CILEx know so you can receive the full benefits of your membership.

We will make several attempts to contact you if you miss the deadline, but if you still do not comply you could be referred for investigation and enforcement action. Reports of CPD cases where members were referred to the Disciplinary Tribunal were carried in (2016) September CILExJ pp34–37.³ Some members have been reprimanded or excluded from CILEx membership for CPD non-compliance and failure to answer the reasonable requests of the regulator.

Any questions?

We hope that this article helps to explain our processes in relation to CPD. If you would like to discuss CPD further, or have any questions, please contact us.⁴

¹ Available at: www.cilexlawschool.ac.uk/Publications/CPD_updates_for_CILEx_members

² E-mail: membership@cilex.org.uk

³ Available at: www.cilexjournal.org.uk/webviewer/#cilexjournalseptember2016/misconduct_decisions

⁴ E-mail: CPD@cilexregulation.org.uk or telephone: 01234 845770