

Work-Based Learning pilot Handbook for all participants

Education and Training Unit

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Introduction to Work-Based Learning

This Handbook

1. This Handbook is a reference source for all those involved in Work-Based Learning towards qualification as a solicitor: candidates, candidates' employers, and providers of Work-Based Learning assessment. It contains:
 - this introduction giving an overview of Work-Based Learning
 - the [Work-Based Learning Outcomes](#) that set out the levels of achievement which must be met in order to complete Work-Based Learning and qualify as a solicitor
 - the [Requirements for Participants](#) that set out the roles and responsibilities of candidates, candidates' employers and Assessment Organisations
 - the [authorisation and monitoring guidelines for Assessment Organisations](#) that set out the standards that providers must meet for authorisation and monitoring by the SRA.

The purpose and principles of Work-Based Learning

2. Qualification as a solicitor requires competence in a number of key skills. Work-Based Learning ensures that these skills are developed against the background of a solicitor's workplace, and builds on the knowledge and skills already acquired through study and previous work experience. It is essential for both personal development as a solicitor, and the quality assurance of services to the public, that those qualifying are fully competent – and that those who cannot demonstrate competence do not enter the profession.
3. Work-Based Learning provides opportunities to develop, practise and demonstrate legal and professional skills, including:
 - reflecting on and improving performance
 - dealing with practical and ethical issues in a working, but supported environment, and
 - exposure to a range of areas of legal practice, and to contentious and non contentious work.
4. The following principles underpin Work-Based Learning:
 - there is one route to qualification and one common set of Outcomes for the period of Work-Based Learning. Anyone wishing to qualify as a solicitor (except from another legal profession) will be assessed against this standard.

- solicitors' firms have the flexibility to provide Work-Based Learning and to assess their candidates or to work with external Assessment Organisations for the assessment elements. Equally, candidates (with the support of their employer) may contract, if they wish, directly with an external Assessment Organisation
- the SRA is non-prescriptive about the content and format of learning and assessment tools. The principles and standards of Work-Based Learning are set out by the SRA in this Handbook, but the SRA does not provide assessments itself. Assessment Organisations, whether they are solicitors' firms or external providers, are free to develop their own learning and assessment strategies provided that they cover the Outcomes
- the SRA will authorise and monitor Assessment Organisations to ensure quality, fairness and consistency in assessments.

Key participants

5. Work-Based Learning depends upon three key participants:

- the candidate undertaking Work-Based Learning
- the candidate's employer
- the organisation assessing the learning and the achievement of the Work-Based Learning Outcomes. This may be the employer or an external Assessment Organisation.

Each of these participants has responsibilities, set out in the Requirements for Participants, including the roles of individuals within the employer and the Assessment Organisation.

6. The roles of employer and Assessment Organisation can be fulfilled in a variety of ways. In some cases the employer may assess the candidate's learning. In other cases an Assessment Organisation external to the employer may support the candidate and assess the learning. There will also be cases falling between these extremes, where some support is provided by the employer but an external assessor is used. The Requirements for Participants can be met under any of these situations. Where an employer assesses the learning, the requirements on Assessment Organisations and those on employers will *both* apply to the employer.

The candidate's role

7. The candidate is responsible for ensuring, with the aid of a development plan and assisted by the reviewer (see paragraph 12 below), that the learning he or she undertakes is moving through the development cycle towards achievement of the Outcomes. The candidate is also responsible for gathering any materials which demonstrate progress towards, or achievement of, the Outcomes – see paragraphs 40-48 below.

8. Neither the Work-Based Learning Outcomes or the Requirements for Participants require the candidate to use a single employer or a single Assessment Organisation for the whole period of Work-Based Learning. A candidate may wish, for instance, to change employer in order to gain the required experience in three areas of law, or in contentious and non contentious work – see paragraphs 18 and 21 below.
9. Candidates can be either:
 - Internal (i.e. supported, reviewed and assessed by an employer validated by the SRA to perform this function – an Internal Assessment Organisation) or
 - External (i.e. supported by their employer but reviewed and assessed by an SRA-validated third party – an External Assessment Organisation).

The employer's role

10. The employer must nominate a solicitor who will be responsible for the supervision of the candidate in the workplace, even where an Assessment Organisation external to the employer supports and assesses the candidate. The development plan and the gathering of materials which demonstrate the candidate's achievement of, or progress towards achievement of, the Outcomes are the responsibility of the candidate, but the nominated solicitor will review the development plan when necessary to ensure that it is realistic in the context of the work the candidate is doing, and will facilitate the candidate's gathering of materials. The nominated solicitor will be the contact for the SRA and the Assessment Organisation in respect of the candidate's Work-Based Learning.
11. Where the employer supports a candidate but does not perform the planning review and/or final assessment (i.e. External candidates), they must agree to the employer requirements by signing an 'Employer Statement of Support' form. The form features a solicitor's undertaking requiring the firm to comply with the relevant parts of this Handbook.

The Assessment Organisation's role

12. The Assessment Organisation must nominate individuals for two key roles:
 - a reviewer who will meet the candidate on a regular basis to steer the candidate towards the Outcomes throughout the period of Work-Based Learning.
 - an assessor who makes a summative assessment of whether achievement of the Outcomes has been demonstrated.

It is possible for a single individual to fulfil both these roles. However, it is the Assessment Organisation's responsibility to ensure that where this occurs the roles are carried out appropriately, the candidate treated fairly, and there is no conflict of interest. The Assessment Organisation may be expected to demonstrate the propriety of such an arrangement to the SRA. Where the

Assessment Organisation is also the employer, the solicitor nominated to supervise the candidate can be the reviewer.

13. The reviewer will hold sufficient meetings with the candidate to enable proper review of the candidate's progress. There is no prescribed number of meetings but over a two year period it is unlikely that less than four meetings will be sufficient to achieve this. At the meetings the reviewer will discuss the candidate's development plan and advise on changes to it. The reviewer will also look at the materials that the candidate is gathering and advise on their appropriateness for demonstrating achievement of, or progress towards, the Outcomes in the context of the Assessment Organisation's assessment strategy – see paragraphs 38-39 below.
14. While the reviewer provides ongoing evaluation of the candidate's progress, the assessor will make a full summative assessment and make a judgement as to whether the candidate has achieved the Outcomes in full. The assessor is judging competence *at the point of assessment*, and will therefore take into account
 - the currency of materials demonstrating achievement of the Outcomes (see paragraphs 38-39 below), and
 - whether the candidate's levels of achievement represent competence in the sense that the candidate is achieving the Outcomes in a number of contexts over a period of time – such that the assessor has confidence that the candidate can be expected to repeat that level of achievement in practice (see also paragraph 32 below).

Eligibility criteria for pilot candidates

Generic

15. We require all candidates intending to start on a WBL experience period:
 - to evidence to the SRA that they are in suitable legal roles in regulated legal environments and have the support of their employer, either through serving under a training contract (Internal candidates) or through an application process (External candidates)
 - to hold and maintain student enrolment
 - to be in roles which will allow frequent opportunities to experience and ultimately meet the WBL Outcomes
 - to have supervision of their work by a solicitor
 - to gain experience in three distinct areas of law – this experience should be no less than the equivalent of three months in each area
 - to develop skills in contentious and non-contentious work.
16. It is not possible in every employment situation for the candidate to be able to assure the SRA that they will be able to meet the three areas/contentious and

non-contentious experience requirements. Candidates will be allowed onto the pilot but should be aware that it is their responsibility to gain placements, secondments or new jobs to meet these requirements before the end of their WBL period (see paragraph 31).

17. Each External candidate must provide a statement of support as described in paragraph 11. This will be required for their normal job as well as any additional employment and/or voluntary experience that the candidate enters into in order to fulfil the experience requirements. Candidates must notify the SRA of any change in their circumstances.
18. Internal candidates on the pilot serve under a training contract under the existing system. External candidates are subject only to the normal terms and conditions of their employment.

Cohort 1

19. For the pilot cohort beginning in September/October 2008 ("Cohort 1"), eligibility was limited to LPC graduates in full-time legal roles. We also insisted that no 'time-to-count' under the existing training regime would be granted.

Cohort 2

20. The SRA will also take on a new cohort of candidates who will begin WBL experience periods between April and September 2009 ("Cohort 2"). Cohort 2 candidates will be:
 - in part-time paralegal roles or training contracts having completed the LPC, or
 - in full or part time paralegal roles or 'part-time study training contracts' whilst studying the LPC.

They must also satisfy the eligibility criteria in paragraph 15. The same flexibility detailed in paragraph 16 will be exercised where breadth of experience cannot be guaranteed at the time of application. No 'time to count' will be granted under the existing regime and no 'up-front' reduction of the WBL period will be granted on account of previous experience. .

21. It is difficult to provide a definition of 'part-time', as there is no official maximum figure on what represents part time work. Full time work is taken to be 35 hours per week upwards, so part time work will consist of fewer hours than this. We do give a minimum figure - the individual should work for a minimum of two and a half days per week.

Definition of 'legal work'

22. To take part in Work-Based Learning, candidates must be working in a "regulated legal environment". If they do not work with solicitors on a regular basis then applicants have to clearly demonstrate to us that they are doing appropriate legal work.

23. We will consider candidates' working environment to be "legal" if the work being done is of a type that solicitors typically provide. This will include a solicitor-client relationship. This means the client is reliant on the candidate to do legal work, and they are employed specifically to do this work (on those terms).
24. Legal work means that the candidate, their team or office is employed specifically to provide services of the type solicitors provide, e.g. legal advice, the drafting of contracts or other legal documentation, or litigation. This means drafting or commenting on contracts as part of ongoing general business work, for instance, would not fall into this category because legal work is not the main purpose of the candidate's employment. However, being employed specifically to draft contracts and provide legal advice on them would.

Appeals and complaints

25. It is part of the role of the Assessment Organisation to have in place policies and procedures to receive, investigate and determine *complaints* from candidates about the assessment process and the opportunities and support they receive from the AO.
26. Although the policies and procedures should provide for complaints about irregularities in assessment arrangements to be considered, *appeals* (that is, requests for a review of a decision on a candidate's competence) might be outside their scope.
27. The SRA will not become involved with appeals against assessment decisions at any stage. The SRA will only consider a complaint from a candidate once they have exhausted the Assessment Organisation's procedures. Organisations must ensure that information about these policies and procedures should be readily accessible to candidates. The AO may also find it helpful to define what is meant by 'appeals' and 'complaints', using the [QAA's code of practice on academic appeals and student complaints](#) as guidance.

Absences during the pilot

28. Candidates must notify the SRA of any long term absence from work (ie any absence which is outside of the normal, accepted absences eg annual leave, occasional and short term sick leave, 2 weeks statutory parental leave) that may impact on their assessment programme. Reasons for absence might include illness, maternity leave or paternity leave, or unemployment.

Wherever possible, and within the scope and timescales of the project or any future work-based learning scheme which is implemented by the SRA, the SRA will work with the candidate to put in place arrangements to enable the candidate to undertake any remaining assessments when they return to employment. Arrangements will be considered and agreed on an individual basis and will take into account

- i) the reason for the absence
- ii) the length of the absence

- iii) the point in the qualification process at which the absence was undertaken
- iv) the number of assessments still to be undertaken
- v) the timescales of the pilot project
- vi) any decisions made as a result of the pilot evaluation on the effectiveness of work-based learning as a means of assessing candidates for qualification
- vii) any decisions made as a result of the pilot evaluation to amend and implement work-based learning
- viii) any decisions made as a result of the pilot evaluation to abandon the work-based learning project

Failure to notify the SRA of any long term absences and to agree future arrangements could result in the candidate being removed from the pilot project.

The period and scope of Work-Based Learning

29. In the context of the Outcomes, completion of the period of Work-Based Learning will normally take two years working full-time, or an equivalent period if working part-time.
30. A two year learning period is required to put into practise the skills learnt in previous study, to inculcate the candidate with the values of the profession through socialisation and interaction with solicitors, and to achieve the incremental development described in paragraphs 33-37 below.
31. In order to ensure competence as a solicitor, a reasonable breadth of experience of Work-Based Learning is required. Experience must be gained in three areas of law, and in both contentious and non contentious work. It is the responsibility of the candidate to address this in his or her development plan. The SRA does not specify the amount of time that must be spent in each area, although we anticipate that there should be in the region of three months of experience per area (or part-time equivalent). The experience could be satisfied through separate 'seat's, different roles with different organisations, or through experiencing a range of areas on a day-to-day basis.
32. Candidates should bear in mind that, due to legal specialisation, a single employer may not be able to offer this range of work. In such cases the candidate should make arrangements to undertake their Work-Based Learning with more than one employer. Where the candidate does transfer from one employer to another, it is the responsibility of the candidate to ensure that he or she has gathered relevant materials as described in paragraphs 38-39 below. It is the responsibility of the first employer to fulfil the relevant Requirements for Participants up to the day of transfer. A fresh Employer Statement of Support will be required for the new employer, submitted to the SRA.
33. In the context of the Outcomes, "a number of contexts over time" indicates that the candidate has achieved levels equivalent to the Outcomes:
 - in a variety of situations encountered during his or her work

- over the three areas of law and in both contentious or non-contentious work, and
- with a reasonable level of consistency over a period of time.

The variety of contexts and the period of time will demonstrate that achievement of that level of performance can be expected from the candidate as the norm in the new situations he or she will encounter in practice. The assessor will have confidence that this is the case before making the decision that the Outcomes have been achieved. Achieving levels equivalent to the Outcomes in a single situation, or at one particular time, is not a sufficient indication that the Outcomes have been achieved.

Incremental development

34. Some candidates may be able to demonstrate achievement of some or all of the Outcomes at a relatively early stage, depending on the level of skills and experience they have attained before beginning the Work-Based Learning period. Others may achieve the Outcomes incrementally during the learning period.
35. The incremental development will typically move through a cycle. Candidates who require close and continuous supervision of all tasks and produce work which requires continuous correction are at the beginning of the cycle. They may be unable to, or lack the confidence to, identify and apply the relevant law effectively in a manner that is likely to progress the client's case. Other indicators of this level of development are a lack of understanding of professional conduct requirements, clients' interests or how to communicate effectively with clients, or a lack of compliance with the employer's administrative requirements. If after a few months the candidate has not moved beyond this stage of the cycle, it is the responsibility of the candidate and the reviewer to consider corrective action and possibly the amending of the development plan. If the candidate continues to remain at this level, suitability for qualification as a solicitor will need to be re-assessed by both candidate and reviewer.
36. From that stage, candidates should progress to requiring less directive supervision and being able to carry out a variety of assigned tasks. Legal skills, understanding of professional conduct and of clients' needs and interests are all developing. Candidates at this stage may typically be able to work as part of an effective team, work to time targets, and comply with the employer's administrative requirements. As candidates develop in these areas, they may be beginning to work directly with clients, under supervision, and are increasingly able to progress cases with lessening supervision and support.
37. Candidates who can progress cases with autonomy, and work directly with clients with appropriate supervision, may be approaching competence. At this stage candidates should understand clients' interests fully, in the context of the rule of law, the public interest, and all relevant professional conduct factors. They can demonstrate relevant legal knowledge in different situations, learn effectively from mistakes and reflect effectively on improving

their work. They should also at this stage be developing an understanding of the employer's business and contributing effectively to it.

38. Assessment organisations should have in place mechanisms to identify situations where the candidate may not be progressing in accordance with their development plan. In some cases, this lack of progress may be reflected in poor performance against job objectives as evidenced e.g. by appraisals. In other cases it may not - and the assessment organisation's mechanisms should be able to address this. As part of their Work-Based Learning strategy assessment organisations should also have the ability to deal with problems as they arise, to avoid candidates approaching the final assessment with little chance of success.

Assessment strategies

39. Assessment Organisations are free to develop their own assessment strategies and methods of assessing how candidates demonstrate achievement of the Outcomes. In the context of the assessment strategy, the Assessment Organisation should advise the candidate about the scope of materials which demonstrate the candidate's achievement of, or progress towards achievement of, the Outcomes. The SRA does not prescribe the scope of relevant materials, but they could include:
 - documents written by the candidate including legal documents, letters, reports, notes of meetings and telephone conversations
 - documents written by others including records of observation of meetings, attendance and achievement at training courses, appraisal reports and notes of review meetings.
40. In facilitating the candidate to demonstrate achievement of the Outcomes, the nominated solicitor must ensure that any materials gathered do not give a false record of the candidate's work. The candidate must also have regard to the employer's and the client's confidentiality requirements. For instance, a candidate should ask his or her nominated solicitor about "anonymising" documents containing confidential information.

The Work-Based Learning Outcomes

41. Candidates should develop legal knowledge and skills which can be applied effectively in the context of:
 - clients' interests, and clear communication with clients
 - professional conduct requirements
 - the business environment in which the candidate is operating.
42. In contentious matters, candidates may learn about the application of legal skills by attending tribunal hearings or ADR meetings, observing proceedings, attending conferences with Counsel and assisting with the preparation of cases.

It is recognised that candidates may not have the opportunity to demonstrate their advocacy skills before the courts. To demonstrate the skills required of an advocate, candidates may become involved in the preparation of cases for hearings/trials and in presentations for clients.

Preparing and delivering in-house training may also be used by candidates. In non-contentious matters, candidates may learn to apply legal skills through preparing correspondence and documents, following proper procedures, and attending meetings with clients.

43. Candidates should aim to develop their spoken and written communication skills to a professional level, and be able to keep accurate records of all communications. In written communication, as well as the appropriate use and application of precedents and standard or 'pro-forma' letters and documents used by the employer, candidates should be able to demonstrate 'free-style' drafting skills.
44. The candidate should be able to demonstrate that he or she has worked directly with clients during the period of Work-Based Learning. This will include written, telephone and face to face communication. Examples of relevant materials may be drafted letters, internal notes and memos and notes of telephone conversations. A candidate should also be able to demonstrate that he or she keeps clients regularly informed of the progress of a matter, identifies problems and develops strategies for resolving them.
45. Candidates need to demonstrate business awareness. They may do this, for instance, by following their employer's time-recording and billing procedures, obtaining an appreciation of the employer's business and marketing strategy and organisation, and understanding the contribution the candidate may make to achieving business objectives. For example, candidates may have contributed to the employer's website or publicity material.
46. Workload management skills are also required - for instance, candidates showing awareness of and compliance with the employers' processes and procedures, and any performance targets assigned to them during the Work-Based Learning period. To demonstrate achievement of the Outcome candidates may work on larger cases or transactions as members of a team, or they may be given smaller transactions to run themselves, under close supervision.
47. Effective working with others also needs to be demonstrated – this can be shown, for instance, through appraisal documentation and feedback from colleagues and clients.
48. Candidates need to develop self awareness and insight into their own professional development. This includes maintaining and updating their legal knowledge, for instance by attending courses or reading journals. In-house or externally available training and performance appraisal systems may be used to assist the candidate to achieve this Outcome.
49. Candidates should be able to understand and apply the principles of professional conduct set out in the Solicitors' Code of Conduct. The candidate should make himself or herself aware of the employer's approach to identifying and dealing with issues such as conflicts of interest, client

confidentiality, equality and diversity, the giving and fulfilling of professional undertakings, handling clients' money, clients' documents and other property.

Work-Based Learning Outcomes

Introduction

During the period of Work-Based Learning, a successful candidate must acquire, develop and apply skills and knowledge relating to

1. the practical application of the law
 2. professional communication
 3. relationships with clients
 4. the wider business environment in which he or she works
 5. the delivery of business and client objectives, including the planning and managing of his or her own workload.
 6. teamwork and co-operation in line with the objectives of the organisation
 7. his or her own professional abilities, their limits and their further development
- the application of the rules and principles of professional conduct in legal practice.

1. Application of legal expertise

By the end of the period of Work-Based Learning, a successful candidate should be able to

- 1.1 identify the relevant law and legal implications associated with an issue
- 1.2 apply effectively knowledge and understanding of the law to the key factual and legal issues that are relevant to a client's needs, objectives and priorities
- 1.3 exercise effectively, both separately and in combination, relevant skills in areas of practice including
 - 1.3.1 practical legal research
 - 1.3.2 writing and drafting
 - 1.3.3 interviewing and advising, and
 - 1.3.4 advocacy.
- 1.4 keep up-to-date with changes in law and practice relevant to his or her work

as demonstrated through experience in at least three areas of law, and in both contentious and non-contentious work.

For alternative formats, email contactcentre@sra.org.uk or telephone 0870 606 2555.

2 Communication

By the end of the period of Work-Based Learning, a successful candidate should be able to

- 2.1 use clear, concise and unambiguous language in all communications with clients and other recipients
- 2.2 tailor his or her style of communication to suit the purpose of the communication and the needs of different clients and other recipients
- 2.3 demonstrate sensitivity to clients' and other recipients' diversity and to any vulnerability or disadvantage, and make appropriate adaptations to the style and content of communications
- 2.4 elicit relevant information through effective questioning
- 2.5 address all relevant factual and legal issues in client communication
- 2.6 listen effectively to others.

3 Client relations

By the end of the period of Work-Based Learning, a successful candidate should be able to

- 3.1 promote clients' confidence and trust through an organised, focussed and professional approach to the relationship with clients
- 3.2 identify clients' needs, objectives and priorities with clarity, and take accurate instructions which reflect those needs, objectives and priorities
- 3.3 exercise effective judgement in evaluating alternative courses of action or possible solutions in the light of clients' needs, objectives and priorities
- 3.4 take appropriate steps to inform clients of key issues including relevant facts, progress towards their objectives, and costs
- 3.5 manage clients' expectations about likely outcomes.

4 Business awareness

By the end of the period of Work-Based Learning, a successful candidate should be able to

- 4.1 demonstrate an appreciation of the internal and external business context of his or her work
- 4.2 demonstrate an understanding of the costs and benefits of alternative courses of action in relation to business decisions.

5 Workload Management

By the end of the period of Work-Based Learning, a successful candidate should be able to

- 5.1 manage a number of tasks concurrently so as to meet all objectives, priorities and deadlines relating to those tasks
- 5.2 exercise effective judgement regarding the effective use of his or her time
- 5.3 exercise effective judgement in respect of realistic timescales for completion of tasks and delivery of objectives
- 5.4 raise any issues relating to completion of tasks and delivery of objectives with colleagues
- 5.5 use resources effectively
- 5.6 use and maintain files and other business systems appropriately to ensure that the organisation's regulatory obligations and business objectives are met, including accessibility of material to colleagues wherever appropriate
- 5.7 record accurately his or her work to a level of detail appropriate to the work and the organisation.

6 Working with others

By the end of the period of Work-Based Learning, a successful candidate should be able to

- 6.1 demonstrate awareness of the impact of his or her actions on others and on the organisation's objectives
- 6.2 co-operate with, support and share information with colleagues to further the organisation's objectives
- 6.3 identify situations where the support of colleagues is needed, and make effective use of that support
- 6.4 treat colleagues and others with respect and professionalism.

7 Self awareness and development

By the end of the period of Work-Based Learning, a successful candidate should be able to

- 7.1 evaluate accurately the strengths and weaknesses of his or her professional skills and knowledge
- 7.2 identify situations where the limits of his or her abilities are reached, and the next steps in such cases, in clients' best interests
- 7.3 reflect on experiences and mistakes so as to improve future performance

- 7.4 identify areas where skills and knowledge can be improved, and plan and effect those improvements.

8 Professional conduct

By the end of the period of Work-Based Learning, a successful candidate should be able to

- 8.1 interpret any situation in the light of solicitors' core duties and any other relevant professional conduct requirements, and act accordingly
- 8.2 exercise effective judgement in relation to ethical dilemmas and professional conduct requirements.

Work-Based Learning – Requirements for Participants

1. **During and at the end of the period of Work-Based Learning, candidates must have the opportunity to practise, reflect on and develop their performance in the workplace in respect of:**

- (a) **all aspects of the Work-Based Learning Outcomes**
- (b) **three areas of law, and**
- (c) **contentious and non contentious work.**

As an Assessment Organisation you must

- explain the Work-Based Learning Outcomes to the candidate
- ensure that the candidate's learning can be measured against the Work-Based Learning Outcomes, and
- if the candidate's learning is not progressing appropriately, assist the candidate in taking corrective action.

As the employer of a candidate you must

- supervise the candidate's day to day work for you
- allow the candidate access to assistance from the Assessment Organisation, where appropriate
- where necessary, communicate with the Assessment Organisation, and
- not do anything to impair the candidate's learning towards the Work-Based Learning Outcomes.

As a candidate you must

- ensure that your learning progresses towards the Work-Based Learning Outcomes
- take corrective action if your learning is not progressing appropriately.

2. **The candidate's Work-Based Learning must be appropriately evidenced.**

As an Assessment Organisation you must

- make effective arrangements for the candidate to record and evidence his or her learning against the Work-Based Learning Outcomes on a regular basis

As the employer of a candidate you must

- subject to your confidentiality requirements, allow the candidate to gather appropriate evidence of his or her learning, and
- ensure that the evidence is not a false record of the candidate's work.

As a candidate you must

- record and evidence your learning against the Work-Based Learning Outcomes on a regular basis.

3. Candidates are responsible for their own learning and development.

As an Assessment Organisation you must

- explain the Work-Based Learning Requirements for Participants to the candidate and your role in relation to the candidate
- assist the candidate to prepare an appropriate and realistic development plan at the start of the period of Work-Based Learning
- assist the candidate to review the development plan when necessary to ensure progress towards the Work-Based Learning Outcomes, and
- recognise prior learning undertaken by a candidate as part of the SRA's Work-Based Learning scheme.

As the employer of a candidate you must

- review the candidate's development plan when necessary to ensure it is realistic in the context of the work the candidate is doing.

As a candidate you must

- prepare an appropriate and realistic development plan at the start of the period of Work-Based Learning
- practise, reflect on and develop your performance in the workplace in accordance with the development plan, and
- review the development plan when necessary to ensure progress towards the Work-Based Learning Outcomes.

4. A candidate must have access to an environment which supports his or her learning.

As an Assessment Organisation you must

- establish that the candidate's work for the employer is appropriate to allow the candidate to progress towards the Work-Based Learning Outcomes

- appoint a reviewer to meet with the candidate,
- ensure that sufficient meetings take place between the reviewer and the candidate
- record the occurrence and outcome of the meetings, and
- provide opportunity for the candidate to seek guidance and support outside the meetings.
- At the meetings, the reviewer must review
 - o the candidate's development plan
 - o the candidate's evidence of practise, reflection on and development of his or her performance in the workplace, and
 - o the candidate's progress towards the Work-Based Learning Outcomes, and any corrective action necessary.

As the employer of a candidate, you must

- allow the candidate to attend meetings with his or her reviewer.

As a candidate, you must

- attend all meetings with the reviewer,
- at or before each meeting, provide sufficient information and evidence to the reviewer to allow effective review of
 - o your development plan
 - o your progress towards the Work-Based Learning Outcomes, and
 - o any corrective action necessary.

5. Candidates' performance must be reviewed by competent individuals

As an Assessment Organisation you must

- ensure that the reviewer is competent to review
 - o the candidate's progress towards the Work-Based Learning Outcomes, and
 - o the candidate's evidence of practise, reflection on and development of his or her performance in the workplace.
- ensure that the reviewer is competent to review the candidate's development plan.

6. Candidates must work in an environment which is supervised by a qualified solicitor.

As the employer of a candidate, you must

- ensure that a nominated solicitor is responsible for the candidate's overall supervision.

7. Candidates' competence must be assessed against the Work-Based Learning Outcomes prior to qualification.

As an Assessment Organisation you must

- ensure that the assessment of the candidate's Work-Based Learning demonstrates
 - o that the candidate has undertaken learning in all aspects of the Work-Based Learning Outcomes
 - o that the candidate's practise, reflection on and development of his or her performance in the workplace does, or does not meet the Work-Based Learning Outcomes, and
 - o that evidence of the candidate's practise, reflection on and development of his or her performance in the workplace can be provided.
- be able to demonstrate to the SRA the purpose of each component of the assessment system.

8. Candidates must be assessed by competent individuals

As an Assessment Organisation you must

- ensure that assessors are competent to assess the candidate's progress towards and achievement of the Work-Based Learning Outcomes.

9. Candidates must be assessed on a transparent, fair and consistent basis

As an Assessment Organisation you must

- set and make available to the SRA guidelines for the assessment programme including criteria for judging competence / lack of competence
- validate and moderate the decisions taken by assessors to ensure fairness
- provide feedback to candidates on the outcome of assessments
- treat candidates fairly and without discrimination.

10. Candidates must have access to appropriate appeals and complaints handling processes.

As an Assessment Organisation you must

- have in place an appropriate complaints handling process, and
- if you operate a process for appeal against assessment decisions, that process must be fair, appropriate and accessible to all candidates.

Authorisation and monitoring guidelines for Assessment Organisations

In authorising and monitoring providers of assessment for the Work-Based Learning pilot, the SRA will select providers meeting the following standards.

1. Learning assessment provision

The Assessment Organisation must provide the SRA with details of the Work-Based Learning programme which demonstrate that:

- the programme provides opportunities to enable candidates to achieve the Work-Based Learning Outcomes
- the provider meets or will meet the requirements for Assessment Organisations set out in the Work-Based Learning Requirements for Participants
- the system for review of candidates' progress will enable candidates to progress effectively, and within the two year period, through the cycle of incremental development towards achievement of the Work-Based Learning Outcomes
- evidence of progress towards or achievement of the Work-Based Learning Outcomes is properly evaluated
- the system for assessment accurately identifies candidates' achievement of the Work-Based Learning Outcomes, including criteria for assessment of competence
- a system of comparison and moderation is in place to ensure consistency, fairness and quality assurance in reviewing and assessing candidates, and
- a system is in place to ensure candidates can feed back on their learning experience and the quality of the learning assessment provision, and that such feedback is taken into account in future development of the Work-Based Learning programme.

2. Record keeping and administration

The Assessment Organisation must:

- accurately record the Work-Based Learning experience, development plan, employer, nominated solicitor, reviewer and assessor for each candidate
- accurately record and track the progress of each candidate throughout Work-Based Learning, and
- provide to the SRA an annual report on the operation of its Work-Based Learning programme including

- the number of candidates registered
- rates of competent at final assessment / not competent at final assessment / withdrawal for candidates, broken down by candidates' age, ethnicity, gender and disability
- feedback/complaints from candidates, and
- records of reviewers and assessors for each candidate, including evidence of the competence of reviewers and assessors.

3. Assessment Organisation information

The Assessment Organisation must supply to the SRA information including:

- details of the provider's principals, including certification / registration information relating to any solicitors, registered European lawyers, registered foreign lawyers or recognised bodies
- details of the provider's past experience of providing training contracts to candidates
- the provider's policy on equality and diversity and/or discrimination
- the provider's complaints handling procedure, and
- the provider's appeals procedure.

4. Monitoring and investigation

The Assessment Organisation must allow the SRA or its representatives to:

- observe, attend or monitor any aspect, and documentation of, the Work-Based Learning programme, and
- investigate complaints against the Assessment Organisation.