

Training Contracts - Some Practical Advice

Careers & Employability Service

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TRAINING CONTRACTS – SOME PRACTICAL ADVICE

Introduction

This leaflet is designed to be a guide to those about to enter into a training contract. You should use this handout in conjunction with the comprehensive information held on the Solicitors Regulation Authority's website at <http://www.sra.org.uk/training-contract/>.

Offer and Acceptance of a Training Contract

Following interview your prospective employer should inform you in writing whether your application has been successful or not, or whether you will be required to attend for a further interview. Ideally this should take place within 2 weeks of your first interview. If you are going away shortly after the interview you should make this clear to the interviewer.

The offer of a training contract should be made by the employer in writing. See below for details of the contents. You may be asked to respond within a set time limit and if so you must do so promptly. The usual period is within 4 weeks of the offer. Your response should be in writing addressed to the signatory on the offer letter. Make sure you are clear about when your training contract will commence – seek clarification if necessary.

It is possible to ask for the time limit to be extended should you be waiting for the outcome of other interviews that you have attended. You should take this course of action rather than choosing simply not to respond within the time limit since otherwise you run the risk of the offer being withdrawn.

Once you have accepted an offer you should inform any other prospective employers from whom you have received similar offers or who have invited you for interview.

The Letter of Offer

This should stipulate the following: -

- (a) any conditions to which the offer is subject, such as fees your organisation will pay in respect of re-sits and re-attendance on the Professional Skills Course
- (b) whether the trainee is on any probationary period before the contract is signed
- (c) that the employer will pay for the cost of the Professional Skills Course which as a trainee you will be required to complete during the training contract. (The cost of any re-sit is at the discretion of the employer.)
- (d) the dates when the training contract will begin and end and the type of training i.e. full-time training contract, part-time training contract or part-time study training contract

- (e) the starting salary. As at 1st August 2010 the current SRA minimum is £18, 590 in London and £16, 650_outside, whilst the recommended minimum is £19, 040 and £16, 940 respectively.
- (f) arrangements for salary review
- (g) other benefits e.g. pension, health clubs etc.
- (h) the nature of the firm's practice
- (i) the areas of law and the skills that the trainee will be trained in, if they will sit in different "seats" and if so how this will be arranged
- (j) an estimate of the amount of time the trainee might expect to spend in any department, "seat" or training in different areas of law
- (k) hours of work and office hours
- (l) holiday entitlement
- (m) sickness benefit entitlement
- (n) any arrangements for employment after the training contract is finished
- (o) details of any proposed secondment.

The Training Contract

This is the **all-important** document so far as you are concerned. Specimen full time and part time contracts based on the Solicitors Regulation Authority's prescribed training contract form can be downloaded from the SRA's web site (www.sra.org.uk.) You may wish to obtain copies for yourself. You should not feel pressurised to sign a contract that you have concerns about. If in doubt seek the advice of the SRA and/or Junior Lawyers Division .**You have 3 months to sign the contract after you first start your job. It must then be registered with the SRA within 28 days. You should receive confirmation of registration from the SRA, if not contact the Solicitors Regulation Authority Becoming A Solicitor helpline on 0870 606 2555.**

If your employer refuses to supply you with a contract at all you must contact the SRA or Junior Lawyers Division. It is pointless to continue an arrangement with an employer that is not to your benefit. Do not be put off by excuses – make sure that your employer knows of your concerns and that they are not being dealt with.

Part time and Full time Training Contracts

A full time training contract lasts 2 years.

Part time contracts should distinguish between: -

- a) **a part time study training contract** where the trainee is absent from the office to study either a qualifying law degree, the GDL or the LPC e.g. one day a week. In this event the trainees will work full time in the office for the rest of the week. The duration of the training contract would depend on the length of the course, generally only half the time saved under a part-time study training contract is recognised as good service. The trainee should be paid on a full salary basis.
- b) **a part time training contract.** If you have completed the LPC and wish to work part time you can extend your training contract up to 4 years depending on the hours you work. You must work a minimum 2 ½ days per week. Salary should be paid on a pro-rata basis.

Recognising Previous Experience

Before the commencement of your training contract you may have previous legal work experience (e.g. in a paralegal position) that qualifies you to apply for a reduction in the length of your training contract. This should be discussed with your employer before signing the training contract as any reduction is **entirely at the discretion of your employer**. In exercising discretion, your employer will need to be satisfied that you developed one or more of the necessary skills to be acquired in a training contract. These include the following: -

Advocacy and oral presentation
case and transaction management
client care and practice support
communication skills
dispute resolution
drafting
interviewing and advising
legal research
negotiation

Your employer will also need to take into account whether or not the previous experience you gained is equivalent to that gained in a training contract, whether or not you were adequately supervised and appraised and **should have been gained within the 3 preceding years**. You should have been working for a minimum of 2.5 days per week.

A time to count application form should be completed by the applicant and by each organisation where he/she has previously worked. Part 5 of the form should then be sent to the SRA.

The maximum reduction permissible in the length of a training contract is six months. This must be at half equivalent i.e. an applicant must have had 12 months relevant alternative legal experience to be eligible for a six month reduction in the training contract. The minimum reduction is 30 days.

In practical terms therefore it is far better to discuss the issue of recognition of previous experience shortly after commencement of employment and certainly before registration of the training contract, which has to be completed within 28 days of signing the contract.

How the Training Scheme operates

To become a solicitor you have to complete: -

- (a) the academic stage of training i.e. a qualifying or exempting law degree or the Graduate Diploma in Law
- (b) the LPC
- (c) the requisite length of practical training under the training contract
- (d) the Professional Skills Course (to be completed during the training contract)

NB. the PSC should be paid for by your employer.

During the training contract you should be acquiring the practical skills summarised in the preceding section. The employer should also provide you with appropriate training in 3 distinct substantive areas of English Law, mixing contentious & non-contentious work. For details of these, see the SRA's document Training Trainee Solicitors: The Solicitors Regulation Authority Requirements.

You will be allocated a training principal at the start of your contract whose name will appear in it as your training principal. A training principal must hold a current practising certificate and be a partner or a person of equivalent status; he or she must make sure that your training complies with the SRA requirements (see above). A good way of doing this is to set up a system for regular appraisal of trainees and to make sure that they are properly supervised. You should establish what your employer's procedures for training and supervision are shortly after joining, if they have not already been explained to you. The SRA has an external monitoring system in which firms are randomly selected for a visit by a member of the monitoring team to discuss its training procedures.

You are required to keep a record of your work experience and training during your training contract. This should be signed by your training principal and may be required by the SRA at the end of your training contract.

Completion of the Training Contract

Approximately 12 weeks before you are expected to complete your training contract, you will receive an application form and detailed guidance to apply for a standard disclosure from the Criminal Records Bureau. You must complete the application form strictly according to the guidance given. Incomplete or incorrectly completed forms will be returned and delays to admission will result.

Approximately eight weeks before the expected completion of your training contract, you will receive an application for admission form. You can use this form to

- apply for admission as a solicitor
- apply to attend an admission ceremony

- apply for your first practising certificate
- apply for membership of the SRA

Key Dates

Signing the training contract – within 3 months of starting your job

Registering the training contract - 28 days after signature

Useful Websites

www.sra.org.uk

Solicitors Regulation Authority

www.juniorlawyers.lawsociety.org.uk

Junior Lawyers Division

www.lawcareers.net

Lawcareers.net

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