Solicitors Regulation Authority

Statement of solicitor competence

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About the competence statement

Made up of three parts (a Statement of Solicitor competence, the Threshold Standard [https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/competence-statement/threshold-standard/] and a Statement of Legal Knowledge [https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/competence-statement/statement-legal-knowledge/]), the competence statement defines the continuing competences that we require from all solicitors.

The Statement of Solicitor Competence [https://www.sra.org.uk/solicitors/competence-statement] sets out what solicitors need to be able to do to perform their role effectively. It provides everyone with a clear indication of what they can expect from their solicitor. Aspiring solicitors are tested against this by the SQE [https://www.sra.org.uk/sra/policy/solicitors-qualifying-examination/] .

The Statement of Solicitor Competence is supported by our Statement of Legal Knowledge [https://www.sra.org.uk/solicitors/competence-statement/statement-legal-knowledge] and a Threshold Standard [https://www.sra.org.uk/solicitors/competence-statement/threshold-standard] , both of which show the standards for practising and using the title of solicitor.

For a solicitor, meeting the competences set out in the competence statement forms an integral part of the requirements of service and competence set out in paragraph 3.1 of the Code of Conduct for Solicitors, RELs and RFLs [https://www.sra.org.uk/solicitors/standards-regulations/code-conduct-solicitors/] .

Our continuing competence resources [https://www.sra.org.uk/solicitors/resources/continuing-competence/] includes guidance on using the competence statement as a tool for continuing competence.

Solicitors with disabilities are entitled to reasonable adjustments in the manner in which the competences in the competence statement can be demonstrated, in line with our Reasonable Adjustment Policy [https://www.sra.org.uk/sra/equality-diversity/diversity-policies/policy/reasonable-adjustment-policy/] .

Statement of solicitor competence

This document takes a broad definition of competence as being "the ability to perform the roles and tasks required by one's job to the expected standard" (Eraut & du Boulay, 2001).

The advantage of this definition is that it recognises that requirements and expectations change depending on job role and context. It also recognises that competence develops, and that an individual may work 'competently' at many different levels, either at different stages of their career, or indeed from one day to the next depending on the nature of their work.

The competence statement should be read holistically. By way of example, the requirement in A1e to respect diversity and act fairly and inclusively pervades all areas of work and underpins all of the competences in the statement.

Solicitors should be able to:

A Ethics, professionalism and judgment

A1 Act honestly and with integrity, in accordance with legal and regulatory requirements and the SRA Standards and Regulations, including

a. Recognising ethical issues and exercising effective judgment in addressing them

b. Understanding and applying the ethical concepts which govern their role and behaviour as a lawyer

c. Identifying the relevant SRA principles and rules of professional conduct and following them

d. Resisting pressure to condone, ignore or commit unethical behaviour

e. Respecting diversity and acting fairly and inclusively

A2 Maintain the level of competence and legal knowledge needed to practise effectively, taking into account changes in their role and/or practice context and developments in the law, including

a. Taking responsibility for personal learning and development

b. Reflecting on and learning from practice and learning from other people

c. Accurately evaluating their strengths and limitations in relation to the demands of their work

d. Maintaining an adequate and up-to-date understanding of relevant law, policy and practice

e. Adapting practice to address developments in the delivery of legal services

A3 Work within the limits of their competence and the supervision which they need, including

a. Disclosing when work is beyond their personal capability

b. Recognising when they have made mistakes or are experiencing difficulties and taking appropriate action

c. Seeking and making effective use of feedback, guidance and support where needed

d. Knowing when to seek expert advice

A4 Draw on a sufficient detailed knowledge and understanding of their field(s) of work and role in order to practise effectively, including

a. Identifying relevant legal principles

b. Applying legal principles to factual issues, so as to produce a solution which best addresses a client's needs and reflects the client's commercial or personal circumstances

c. Spotting issues that are outside their expertise and taking appropriate action, using both an awareness of a broad base of legal knowledge1 [#n1] (insofar as relevant to their practice area) and detailed knowledge of their practice area

A5 Apply understanding, critical thinking and analysis to solve problems, including

a. Assessing information to identify key issues and risks

b. Recognising inconsistencies and gaps in information

c. Evaluating the quality and reliability of information

d. Using multiple sources of information to make effective judgments

e. Reaching reasoned decisions supported by relevant evidence

B Technical legal practice

B1 Obtain relevant facts, including:

a. Obtaining relevant information through effective use of questioning and active listening

b. Finding, analysing and assessing documents to extract relevant information

c. Recognising when additional information is needed

d. Interpreting and evaluating information obtained

e. Recording and presenting information accurately and clearly.

B2 Undertake legal research, including:

a. Recognising when legal research is required

b. Using appropriate methods and resources to undertake the research

c. Identifying, finding and assessing the relevance of sources of law

d. Interpreting, evaluating and applying the results of the research

e. Recording and presenting the findings accurately and clearly.

B3 Develop and advise on relevant options, strategies and solutions, including

a. Understanding and assessing a client's commercial and personal circumstances, their needs, objectives, priorities and constraints

b. Ensuring that advice is informed by appropriate legal and factual analysis and identifies the consequences of different options

B4 Draft documents which are legally effective and accurately reflect the client's instructions including

a. Being able to draft documents from scratch as well as making appropriate use of precedents

b. Addressing all relevant legal and factual issues

c. Complying with appropriate formalities

d. Using clear, accurate and succinct language

*B5 Undertake effective spoken and written advocacy*2 *[#n2]* *, including*

a. Preparing effectively by identifying and mastering relevant facts and legal principles

b. Organising facts to support the argument or position

c. Presenting a reasoned argument in a clear, logical, succinct and persuasive way

d. Making appropriate reference to legal authority

e. Complying with formalities

f. Dealing with witnesses appropriately

g. Responding effectively to questions or opposing arguments

h. Identifying strengths and weaknesses from different parties' perspectives

B6 Negotiate solutions to clients' issues, including

a. Identifying all parties' interests, objectives and limits

b. Developing and formulating best options for meeting parties' objectives

c. Presenting options for compromise persuasively

d. Responding to options presented by the other side

e. Developing compromises between options or parties

B7 Plan, manage and progress legal cases and transactions, including

a. Applying relevant processes and procedures to progress the matter effectively

b. Assessing, communicating and managing risk

c. Bringing the transaction or case to a conclusion

C Working with other people

C1 Communicate clearly and effectively, orally and in writing, including

a. Ensuring that communication achieves its intended objective

b. Responding to and addressing individual characteristics effectively and sensitively

c. Using the most appropriate method and style of communication for the situation and the recipient(s)

d. Using clear, succinct and accurate language avoiding unnecessary technical terms

e. Using formalities appropriate to the context and purpose of the communication

f. Maintaining the confidentiality and security of communications

g. Imparting any difficult or unwelcome news clearly and sensitively

C2 Establish and maintain effective and professional relations with clients, including

a. Treating clients with courtesy and respect

b. Providing information in a way that clients can understand, taking into account their personal circumstances and any particular vulnerability

c. Understanding and responding effectively to clients' particular needs, objectives, priorities and constraints

d. Identifying and taking reasonable steps to meet the particular service needs of all clients including those in vulnerable circumstances

e. Identifying possible courses of action and their consequences and assisting clients in reaching a decision

f. Managing clients' expectations regarding options, the range of possible outcomes, risk and timescales

g. Agreeing the services that are being provided and a clear basis for charging

h. Explaining the ethical framework within which the solicitor works

i. Informing clients in a timely way of key facts and issues including risks, progress towards objectives, and costs

j. Responding appropriately to clients' concerns and complaints

C3 Establish and maintain effective and professional relations with other people, including

a. Treating others with courtesy and respect

b. Delegating tasks when appropriate to do so

c. Supervising the work of others effectively

d. Keeping colleagues informed of progress of work, including any risks or problems

e. Acknowledging and engaging with others' expertise when appropriate

f. Being supportive of colleagues and offering advice and assistance when required

g. Being clear about expectations

h. Identifying, selecting and, where appropriate, managing external experts or consultants

D Managing themselves and their own work

D1 Initiate, plan, prioritise and manage work activities and projects to ensure that they are completed efficiently, on time and to an appropriate standard, both in relation to their own work and work that they lead or supervise, including

a. Clarifying instructions so as to agree the scope and objectives of the work

b. Taking into account the availability of resources in initiating work activities

c. Meeting timescales, resource requirements and budgets

d. Monitoring, and keeping other people informed of, progress

e. Dealing effectively with unforeseen circumstances

f. Paying appropriate attention to detail

D2 Keep, use and maintain accurate, complete and clear records, including

a. Making effective use of information management systems (whether electronic or hard copy), including storing and retrieving information

b. Complying with confidentiality, security, data protection and file retention and destruction requirements

D3 Apply good business practice, including

a. Demonstrating an adequate understanding of the commercial, organisational and financial context in which they work and their role in it

b. Understanding the contractual basis on which legal services are provided, including where appropriate how to calculate and manage costs and bill clients

c. Applying the rules of professional conduct to accounting and financial matters

d. Managing available resources and using them efficiently

Notes

1. Legal System of England and Wales , constitutional law and EU law (including human rights), contract law, torts, ethics, professional conduct and regulation, including money laundering and solicitors accounts, criminal law and evidence, criminal litigation, civil litigation, property law, wills and administration of estates, trusts and equitable wrongs, law of and taxation, and other areas relevant to the solicitor's particular field of practice

2. 2. Note this applies to advocacy both in and out of court

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