

Professional skills course information

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You can only qualify through this route if you meet our transitional requirements. [<https://www.sra.org.uk/become-solicitor/legal-practice-course-route/becoming-solicitor-legal-practice-course-transitional-requirements/>]

If you do not meet these, you will need to qualify under the SQE [<https://www.sra.org.uk/become-solicitor/sqe/>].

Course structure, timing and background

Background

The Professional Skills Course (PSC) is designed to build on the foundations laid by the Legal Practice Course (LPC) and to make sure all trainees receive formal instruction in matters better studied once they have some exposure to practice.

The PSC is intended to be an integral part of the period of recognised training; together they form the final elements of the vocational stage of training.

PSC providers are authorised by us [<https://www.sra.org.uk/solicitors/standards-regulations/education-training-assessment-provider-regulations/>] (authorisations made under earlier training regulations also remain valid) either on an in-house (where training firms provide it to their own trainees) or external provider. We publish a list of providers [<https://www.sra.org.uk/become-solicitor/legal-practice-course-route/professional-skills-course/professional-skills-course-providers/>].

When the course should take place

The PSC should normally be done during a period of recognised training. Where an individual is exempt from recognised training, it must be completed before admission.

It helps develop a trainee's professional skills before admission, and we expect providers and employers to consider when each element of the course should be undertaken. For example, it will be more effective for them to complete the Client Care and Professional Standards module after a trainee has undertaken at least six months full time (or equivalent) training.

Beyond this, we do not recommend when the other elements should be completed. Although we do suggest that tuition in elective topic(s) should normally be done after the trainee has completed the relevant area of the compulsory core.

Subject to exemptions, we will not admit anyone unless they have successfully completed the PSC.

Course structure

The PSC consists of three subject areas, underpinned by Written Standards
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- Financial and Business Skills
- Advocacy and Communication Skills
- Client Care and Professional Standards

There is a compulsory core element of 48 hours tuition with assessments, and an elective element of 24 hours tuition.

Compulsory core

Each subject area forms part of a compulsory core, which entails face-to-face instruction for a minimum number of hours:

- Financial and Business Skills - 18 hours
- Advocacy and Communication Skills - 18 hours
- Client Care and Professional Standards - 12 hours

For the purposes of Financial and Business Skills, Advocacy and Communication Skills and Client Care and Professional Standards, live online interactive courses with peer to peer and candidate to tutor interaction is seen as an extension of face to face.

The assessment scheme for each part of the compulsory core is as follows:

- Financial and Business Skills
 - Written Standards Element 1 - no assessment
 - Written Standards elements 2-6 - Examination (one-and-half hours)
- Advocacy and Communication Skills - skills appraisal
- Client Care and professional Standards - no assessment

All examinations and skills appraisals must be suitably supervised and must be conducted face to face or where a provider has been approved through

remote proctored/video conferencing.

Electives

The elective element of the PSC entails a minimum total of 24 hours of instruction.

The following conditions and provisions apply:

- a maximum total of 12 hours of instruction in elective topics (whether whole courses or part courses) may be delivered on a distance-learning basis, provided that such instruction is "suitably supervised or assessed"
- elective topics must fall within at least one of the three subject areas of the course
- instruction in elective topics normally will not occur before completion of the corresponding compulsory core
- at minimum 12 hours of instruction in elective topics must be delivered on a face-to-face basis. Live online interactive courses with peer to peer and candidate to tutor interaction is seen as an extension of face to face.
- all elective topics must have as their primary objective the development of a trainee's professional skills
- there are no prescribed written standards
- there is scope for tailoring the PSC to meet the particular training needs of individual trainees and their employers.

Courses in the following topics/subjects will count as PSC electives:

- The shortened Accounts Course for trainees that have taken the Law Society Finals or the pre 1997 LPC.
- The courses leading to the Higher Rights of Audience Qualification.

If there are assessments as part of these courses, they do not have to be passed in order for the exemption to be available, as the PSC electives themselves have no assessments.

Information technology, business/commercial awareness

Trainees should be able to demonstrate that they understand the importance of information technology and business/commercial awareness in their work. They should understand the applications of these across a range of professional activities.

Information technology and business/commercial awareness should be treated by PSC providers as pervasive, to be addressed throughout the

compulsory core and elective topics.

PSC Written Standards

Open all [#]

Advocacy and communication skills

Aims and objectives

On completion of this area of the compulsory core, trainees should be able to exercise the rights of audience available on admission in the civil and criminal courts.

Assumed knowledge from the LPC

As a consequence of completing the LPC trainees should be able to:

- interview a client
- identify the client's goals
- identify and analyse factual material
- identify the legal context in which factual issues arise
- relate the central legal and factual issues to each other
- state in summary form the strengths and weaknesses of the case from each party's perspective
- develop a case presentation strategy
- outline the facts in simple narrative form
- prepare in simple form the legal framework for the case
- formulate a coherent submission based upon facts, general principles and legal authority in a structured, concise and persuasive manner
- identify, analyse and assess the specific communication skills and techniques employed by the presenting advocate
- demonstrate an understanding of the purpose, techniques and tactics of examination, cross-examination and re-examination to adduce, rebut and clarify evidence
- demonstrate an understanding of the ethics, etiquette and conventions of advocacy.

Trainees should, in addition, be able to advise a client on the appropriate pre-trial procedures and proceedings, understand the crucial importance of preparation and the best way to undertake it, and assist in the preparation and conduct of pre-trial procedures and proceedings.

Trainees should be able to make an interlocutory application before a District Judge.

Element 1

Trainees should be able, in the context of a civil and a criminal case, to:

- use language appropriate to the client, witness(es) and triers of fact and law
- listen, observe and interpret the behaviour of triers of fact and law, clients, witness(es) and other advocates and be able to respond to this behaviour as appropriate
- speak and question effectively and thereby competently use appropriate presentation skills to open and close a case
- use a variety of questioning skills to conduct examination in chief, cross examination, and re-examination
- prepare and present a coherent submission based upon facts, general principles and legal authority in a structured, concise and persuasive manner
- present a submission as a series of propositions based on the evidence
- organise and present evidence in a coherent and organised form.

Element 2

Trainees should be able to identify and act upon the ethical problems that arise in the course of a trial.

Client care and professional standards

Aims and objectives

On completion of this area of the compulsory core, trainees should be able to:

- identify and understand the significance of client care, ethical and professional conduct issues and be able to respond in an appropriate way within the training context
- apply appropriate professional standards
- understand and apply business awareness
- understand the need to work effectively with others
- initiate and implement appropriate methods of personal work organisation, and
- appreciate the importance of and take responsibility for their own personal and professional development.

Assumed knowledge from the LPC

As a consequence of completing the LPC, trainees should be able to:

- identify, understand and deal with aspects of client care, ethics and professional conduct which may arise while conducting matters covered within the LPC
- understand the relevant practice rules and basic principles of the SRA Accounts Rules [<https://www.sra.org.uk/solicitors/standards-regulations/accounts-rules/>]
- understand those areas of substantive law (eg negligence and fiduciary duties) and SRA requirements for the conduct of fee-earning work of a type which trainees are likely to encounter before admission
- understand the relevant SRA requirements regulating the organisation of the profession, obtaining work, client care and professional relations
- appreciate the need for good personal organisation and an orderly approach to work.

Trainees should be able to identify and deal with issues concerning their ethical responsibilities to:

- their clients
- the court
- other solicitors
- other professionals
- the Solicitors Regulation Authority and other relevant bodies
- their colleagues
- themselves.

This area of the compulsory core comprises three elements:

- Client Care and Communication Skills
- Professional Standards
- Work and Case Management.

Element 1 – Client Care and Communication Skills:

- Communication both orally and in writing
- Interviewing skills
- Taking instructions
- Keeping clients informed

- Discussing costs
- Handling client expectations
- Dealing with difficult clients
- Avoiding complaints
- Identifying potential complaints
- Handling complaints.

Element 2 – Professional Standards

- The SRA Principles and Codes of Conduct
- Client confidentiality
- Conflicts of interest
- Undertakings
- Negligence warnings
- Discussing advising and reporting on costs
- Contingency arrangement
- Retainers
- Letters of Engagement
- Avoiding, identifying and handling complaints.

Element 3 – Work and Case Management

- Time limits
- Time management
- Identifying and minimising risk
- The risk of professional liability
- Case file management.

Financial and Business Skills

Aims and objectives

On completion of this area of the compulsory core, trainees should:

- have developed improved financial awareness
- be able to undertake exempt regulated activities under part XX FSMA

- be able to apply the rules of professional conduct relating to financial and accounting matters.

Assumed knowledge from the LPC

As a result of completing the LPC trainees should understand:

Solicitors' accounts and the SRA Accounts Rules 2019

[<https://www.sra.org.uk/solicitors/standards-regulations/accounts-rules/>] (SAR). This will have included:

- the need to maintain separate office and client accounts
- the obligations regarding payment into and drawing from client account
- The need to record receipts and payments of office and client monies
- transfers between client accounts and between client and office accounts
- the obligation to prepare accounts in respect of clients' accounts
- the power of the Council to secure compliance with the SAR
- the processes involved in recording transactions for the purposes of paying of VAT
- the processes involved in recording abatements, bad debts and split money
- the processes involved in preparing a statement for clients on completion of a matter
- the need to pay interest to clients when appropriate
- the distinction between interest earned in general deposit and designated deposit accounts and preparation of accounts as appropriate
- the requirements in respect of the holding of trust monies.

The principles of accounting and an awareness of the need to interpret business accounts to ensure clients are appropriately advised. This will have included:

- an understanding of the need for accounts, the principles of bookkeeping, the terms used in accounts and basic accounting concepts and their uses
- an understanding of the processes involved in recording transactions, familiarity with books used to record transactions and an understanding of how accounting data is used to prepare trial balances and profit and loss accounts and a balance sheet
- an understanding of the need to make provision for depreciation and other year end adjustments



- the ability to analyse and interpret entries in the balance sheet and profit and loss accounts of a sole trader, partnership and limited company
- an understanding of the nature of shareholders' funds and the need to account for taxation and the circumstances in which consolidated fund accounts are required.

Element 1 – Accounting and financial issues

Trainees should be able to identify accounting and financial issues in the areas of work in which they or the training establishment are involved, and have an awareness of:

- the potential need to involve other professionals (eg accountants, financial services specialists) when advising business and/or private clients
- possible sources of financial information which can be utilised in advising business and/or private clients
- the need to determine whether additional accounting and financial information is required (including in appropriate cases the possibility of employing investigative accounting techniques) to meet the client's needs
- the financial regulatory environment in which clients' businesses operate and the need to identify the appropriate accounting regulatory regime applicable to a client's business.

Element 2 – Introduction to the marketplace

Trainees should also be able to identify the main investment products on the market, distinguish their main features (eg long or short term, safe or speculative) and determine their suitability for different types of client.

Trainees should be able to identify the tax and other advantages or disadvantages of particular types of investment.

Element 3 – The regulatory framework

Trainees should have an understanding of the implications of:

- the Financial Services and Markets Act 2000 (FSMA)
- the SRA Financial Services (Scope) Rules 2019
[<https://www.sra.org.uk/solicitors/standards-regulations/financial-services-scope-rules/>]
(Scope rules)
- the SRA Financial Services (Conduct of Business) Rules 2019
[<https://www.sra.org.uk/solicitors/standards-regulations/financial-services-conduct-business-rules/>] (Conduct of Business rules), and
- any Money Laundering Regulations (MLR).

Trainees should understand the role of the Financial Conduct Authority (FCA) and the role of the Solicitors Regulation Authority as a Designated Professional Body (DPB).

Trainees should have an awareness of:

- what is regulated by the FCA
- the requirements for FCA authorisation
- the consequences of carrying out a 'regulated activity' without FCA authorisation
- the method of obtaining FCA authorisation.

Trainees should understand:

- what constitutes a 'regulated activity' and the principal exclusions in the FSMA (Regulated Activities) Order 2001 (RAO)
- the exemption in 'Part XX' of the FSMA for professional firms not conducting 'mainstream regulated activities' but carrying on "exempt regulated activities"
- basic conditions which must be satisfied by firms wishing to undertake 'exempt regulated activities' (S327 FSMA & FSMA (Non-exempt Activities) Order 2001).

Trainees should be able to relate the FSMA, the Scope rules and the Conduct of Business rules to the areas of work in which they or the training establishment are involved.

In the context of the regulatory structure set up by the FSMA and the concepts underpinning it, trainees should understand:

- the distinction between tied and independent sectors; (to be kept under review)
- the FCA and the major compliance obligations contained in the FCA Handbook
- the appropriate SRA rules and guidance.

Trainees should know what constitutes a financial promotion and the principal exemptions in the FSMA(Financial Promotion) Order 2001.

Element 4 –The Scope Rules

Trainees should be able to identify the type of regulated activities which may be undertaken under the Scope Rules and be aware of the consequences of a breach of the Scope Rules.

Trainees should be able to identify the steps needed to comply with the Scope Rules, the Conduct of Business Rules and other SRA requirements relevant to regulated activities under the FSMA.

Trainees should understand the role of the solicitor in the financial services industry and should understand the implications of:

- the solicitor's independence
- the employment of investment specialists, the establishment within a practice of a specialist financial services department and the mechanisms for such an establishment
- the inter-relationships of financial services work with other areas of work in the training establishment.

Trainees should be able to identify the steps needed to comply with the Conduct of Business rules for exempt regulated activities.

Trainees should be able, under appropriate supervision, to maintain the required records and follow the firm's complaints procedure.

Trainees should understand how the receipt of commission should be dealt with under the Scope rules and should also understand the significance of the receipt of commission in connection with some of the exclusions in the RAO.

Trainees should:

- have a good understanding of when an activity "arises out of or is complementary to" a particular professional service to a particular client
- know who is able to act as an authorised person
- be able to identify the appropriate authorised person for use in any particular situation.

Element 5 – Money laundering

Trainees should be able to apply the rules of professional conduct in connection with financial dealings and in particular should understand what constitutes money laundering and the steps necessary to comply with any MLR.

Element 6 – Mortgage fraud

Trainees should be able to apply the rules of professional conduct in connection with financial dealings and understand the need to be alert to the possibility of mortgage fraud.