



A

MODERN APPRENTICESHIP

IN

**Paralegal Practice
Level 3 SCQF Level 7**

**FRAMEWORK DOCUMENT
FOR
SCOTLAND**

Skills for Justice

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SKILLS for JUSTICE
Developing skills for a safer and fairer society

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Modern Apprenticeships in Scotland

What are Modern Apprenticeships?

Modern Apprenticeships offer those aged over 16 paid employment combined with the opportunity to train for jobs at craft, technician and management level.

Who develops them?

Modern Apprenticeships are developed by sector skills councils (SSCs). SSCs consult with employers and key partners in their sector to produce a training programme, which meets the needs of employers.

Who are they for?

Modern Apprenticeships are available to employees aged 16 or over. Employees need to demonstrate to their employer that they have the potential to complete the programme.

What's in a Modern Apprenticeship?

In Scotland, there are more than 70 different Modern Apprenticeship Frameworks and they are all designed to deliver a training package around a minimum standard of competence defined by employers through SSCs. There are four different levels of Apprenticeship in Scotland: SCQF 5 (SVQ 2), SCQF 6/7 (SVQ 3), SCQF 8/9 (SVQ 4) and SCQF 10 (SVQ 5). They all contain the same 3 basic criteria:

- A relevant SVQ (or alternative competency based qualifications)
- Core Skills
- Industry specific training.

Details of the content of this specific Modern Apprenticeship are given in the next section.

Modern Apprenticeships in Paralegal Practice

This framework is aimed at those looking to enter the Scottish legal sector as a paralegal. Entry level paralegals will normally be working under the supervision of a solicitor or similarly qualified individual. It is recommended that employers work in partnership with apprentices and training providers to select suitable optional units within the SVQ in Paralegal Practice to best reflect the work being undertaken by the apprentice.

Legal services form part of the financial and business services sector, identified by the Scottish Government as a growth sector. In 2012, this sector's Gross Value Added per person employed was £87,000 in Scotland (Sector Skills Assessment, Skills for Justice, 2012) – the UK's equivalent figure was £61,000.

The legal profession currently has more than 1,200 law firms operating in Scotland, and there were over 22,000 people employed in legal services in Scotland in 2008 (Law Society of Scotland, 2012). These professions are subject to a high level of mandatory regulation, the purpose of which is to protect the public. Mandatory regulation includes specifications regarding training and qualifications to become a solicitor or advocate, the conduct of practitioners and their continual professional development. Paralegals are not currently covered by mandatory regulation.

The majority of legal services operate in the private sector, and firms range from multi-national commercial and corporate law firms to regional medium-sized law firms, to high-street micro-businesses. In addition, services are provided through in-house legal teams employed throughout industry, and especially in financial and business services firms. Legal services are provided throughout the public sector, primarily by in-house teams. In-house law teams in the private and public sectors will also instruct independent practitioners in the private sector for specialist advice or to act on their behalf.

The term 'paralegal' is widely understood to describe a person qualified through education, training or work experience to perform substantive legal work and whose work, in the absence of a paralegal, would be performed by a solicitor or advocate. It is important to remember that the term paralegal is not used by all employers and parts of the sector so job titles vary greatly. Research undertaken by the Law Society of Scotland (April 2012) has highlighted a rapidly developing paralegal profession. There are estimated to be up to 10,000 existing paralegals in Scotland. The paralegal workforce is varied and ranges from those working to support solicitors and other regulated professionals to those working in-house in central government and local authority or corporate organisations. It also includes paralegals offering their services whilst self-employed. The occupation is growing rapidly and this Modern Apprenticeship will provide a new entry route into the legal sector for significant numbers of school leavers and others new to the sector and looking to start a legal career.

A number of key issues are affecting the legal services sector in Scotland:

- Recession has impacted on the sector in a number of ways. Corporate and commercial law firms have seen reductions in the volume of work, for example reduced merger and acquisition work. For high street firms, the slowdown in the housing market will have reduced the number of conveyancing transactions, whilst crime (especially acquisitive crime according to government modelling) tends to rise when recession produces a rise in unemployment, so parts of the legal sector may see workloads increase.
- The Legal Services (Scotland) Act 2010 has introduced new forms of practice that will allow (in time) non-legal organisations to provide legal services, and offer solicitors much greater flexibility in the way they practise. In turn, this will allow much wider options in how solicitors and non-solicitors can share the management and control of a business which provides reserved legal services to the public, and will allow external investment and ownership of law firms. An outcome of this is a further increase in the number of paralegals delivering higher volume, lower cost services.
- Labour Force Survey data from the Office for National Statistics shows that the number of legal associate professionals or paralegals has more than doubled over the past 10 years. The work of paralegals, whilst regulated in some areas, is not itself directly the subject of regulation, and hence standards of competence, conduct and service are not clearly developed and identifiable.

Aim:

- To create jobs and progression opportunities for young people and those new to the sector whilst helping employers increase the diversity and demographics of their workforce. To promote occupations within legal services as rewarding career pathways and to establish a route into other legal occupations.

Objectives:

- To develop a consistent work-based entry level national standard for legal services
- To contribute towards professionalising the paralegal workforce
- To aid recruitment into and retention in legal service roles
- To highlight career paths and provide progression routes into higher level jobs
- To create new jobs for young people in local, regional, national and international businesses
- To provide a vocational route into the sector which links with existing routes into legal professional roles
- To aid parity of opportunity and mobility within and across legal services in Scotland, England and Wales.

A new suite of national occupational standards (NOS) for the paralegal workforce were developed and approved in autumn 2012. This work formed the basis of the first UK apprenticeship frameworks and associated competence based qualifications for paralegals in England and Wales, and employers in Scotland wish to follow suit. These NOS were the essential first stage for the development of the Scottish Vocational Qualification (SVQ), which will be used as the competence based qualification within this Modern Apprenticeship framework for this workforce.

The Law Society of Scotland and Scottish Paralegal Association have a registration scheme pitched at SCQF Level 8 to help quality assure a currently unregulated workforce. There are circa 400 registered paralegals within this scheme, and 25 registered trainee paralegals. Research by Skills for Justice suggests that this workforce will grow significantly (by up to 18%) in the next 5 years and this growth will be at many levels. Both organisations are supportive of the introduction of Modern Apprenticeships to complement and build on this unique structure (no other UK jurisdiction has such a scheme). The Modern Apprenticeship will create new roles in law firms for school leavers, which have never previously existed which will encourage the creation of new jobs for school leavers in a very successful part of the Scottish economy. The Legal Education and Development Scotland (LEADS) group has also expressed support for the SVQ and associated Modern Apprenticeship.

The career path of a paralegal in Scotland is currently unclear and confusing. Creating a Modern Apprenticeship will establish:

- a new route for those who want to work in the legal service sector
- meaningful, technical roles in the sector without the need to become a solicitor.

In Scotland there are only three reserved activities (things only solicitors can do): litigation, land transfer and wills and probate. This means that the vast majority of activity undertaken currently by solicitors could be done at a lower cost by a skilled and qualified paralegal. Working under a solicitor's supervision, a paralegal could also assist with reserved work. The creation of this Modern Apprenticeship for paralegals will:

- make the sector more profitable through lower resource costs
- more competitive on pricing
- and create new jobs for young people.

Scotland Development International (SDI) and the Scottish Government are keen to attract a new kind of legal business to Scotland - Legal Process Outsourcing (LPO). LPOs create large teams of lower cost legal resource to undertake less complicated, 'transactional' legal work to free up the higher cost solicitors to focus on more complex areas of work. This is a global phenomenon and Scotland is working hard to attract such businesses to Glasgow and Dundee. This Modern Apprenticeship will aid the creation of an appropriately skilled paralegal workforce to help realise these ambitions.

Creation of a recognised apprenticeship structure at various levels (this is the first of three proposed) adds depth to the skills base of the legal sector in Scotland, and makes the workforce a high value proposition. The highly regarded Scottish solicitor skills base complemented by a structured and quality assured paralegal workforce will make Scotland a highly attractive investment opportunity. This Modern Apprenticeship will offer a quality assured way of

introducing lower cost resource into law firms to deliver high quality services to customers.

With the Legal Service (Scotland) Act allowing non-solicitors to own up to 49% of a law firm from 2013, this will introduce external capital into the legal sector and the traditional way of resourcing and modelling these businesses will change beyond recognition within the next few years. These changes are already happening in England and Wales.

This Modern Apprenticeship in Paralegal Practice aligns with demands by employers across the Scottish legal sector. The potential of school leavers is recognised, but has not been effectively realised via existing qualifications or academic pathways. It is an essential development due to the economic development priority attached to the legal sector by Scottish Government and SDI, and to ensure that Scottish learners can access the same opportunities that are available in England and Wales.

There are many legal service employers who are largely based in the north of England who are entering the Scottish legal market through either growth or merger, and a number of these firms wish to recreate the apprenticeship opportunities in England and Wales in their Scottish sites.

The Modern Apprenticeship will be used by law firms, central & local government, and as they develop, alternative business structure employers. The Modern Apprenticeship will:

- help create jobs for young people
- help firms quality assure a growing workforce in a structured and meaningful way
- help make Scotland a more attractive investment for LPOs
- help regulate an unregulated workforce
- help firms readjust to the resourcing demands of the competition and new business structures introduced by the Legal Services (Scotland) Act.

A healthy, high value Scottish legal sector oils the wheels of the Scottish economy and growth. Modern Apprenticeships are a part of the Scottish Government's Strategic Priority on Learning, Skills and Well-being, and this framework will aid the creation of jobs for young people in one of Scotland's largest economic sectors.

Summary of Framework

Diagram showing the contents of the Modern Apprenticeship in Paralegal Practice

Mandatory outcomes

SVQ or alternative competency based qualification

- The following must be achieved:

- **SVQ3 in Paralegal Practice at SCQF level 7**
 - GH2W 23
 - 68 to 94 SCQF credit points (varies according to optional units selected)

Core Skills

- | | |
|--------------------------------------------|-------------------------------|
| • Communication | SCQF Level 5 SQA Ref: F427 04 |
| • Working With Others | SCQF Level 5 SQA Ref: F42P 04 |
| • Problem Solving | SCQF Level 5 SQA Ref: F42K 04 |
| • Information and Communication Technology | SCQF Level 5 SQA Ref: F42F 04 |
| • Numeracy | SCQF Level 5 SQA Ref: F42B 04 |

Communication, Working With Others, Problem Solving, Information & Communication Technology and Numeracy must be separately assessed and certificated.

Reference numbers are for SQA Core Skills. Other equivalents exist.

Enhancements

- **Scots Law: An Introduction (SCQF level 6)**
 - FN4Y 12
 - 12 SCQF credit points

Optional Outcomes

Additional SVQ Units/Qualifications/Training

There are no Optional Outcomes specified for this framework.

The Framework

The mandatory and optional content of the Modern Apprenticeship in Paralegal Practice is as follows:

Mandatory Outcomes

SVQ(s)/ CBQs

Each apprentice is required to achieve the following qualification:

- SVQ3 in Paralegal Practice at SCQF level 7 (GH2W 23; 68 to 94 SCQF credit points)

Scottish Vocational Qualifications (SVQs) are work-based qualifications, which are based on National Occupational Standards (NOS) of competence drawn up by representatives from each industry sector. SVQs are made up of units – the SVQ in Paralegal Practice is made up of eight mandatory units plus three optional units chosen from a selection of eleven – which break a job down into separate functions reflecting the different kinds of activities of a job. SVQs are available at five levels – although most are at level 2 and level 3. When someone has achieved an SVQ, there is a guarantee that they have the skills and knowledge needed to do their job. All Scottish Modern Apprenticeships must contain a relevant SVQ or equivalent qualification.

Core Skills

Each apprentice is required to achieve the following core skills:

- | | |
|--------------------------------------------|----------------------------------|
| • Communication | SCQF Level 5 SQA / Ref: F427 04 |
| • Working with others | SCQF Level 5 SQA / Ref: F42P 04 |
| • Problem Solving | SCQF Level 5 SQA / Ref: F42K 04 |
| • Information and Communication Technology | SCQF Level 5 SQA / Ref: F42F 04 |
| • Numeracy | SCQF Level 5 SQA / Ref: F42B 04. |

Communication, Working With Others, Problem Solving, Information & Communication Technology and Numeracy must be separately assessed and certificated.

Some areas are partially covered by the mandatory SVQ. Please refer to the SVQ's accompanying Core Skills signposting document for further information.

Core Skills are skills and abilities which everyone needs in their work. This is true for every job in every workplace. Core Skills also feature in National Qualifications such as Standard Grades and Highers and from the year 2000, Scottish candidates have been issued with a Core Skills profile on their Scottish Qualifications Certificate. Candidates who have already been certificated as achieving Core Skills at the levels given above – either in the workplace or at school or college - do not need to repeat these Core Skills as part of the Modern Apprenticeship Framework.

Enhancements

SQA's National Unit *Scots Law: An Introduction* (SCQF level 6 / FN4Y 12 /12 SCQF credit points) is a mandatory Enhancement for this Modern Apprenticeship Framework.

Optional Outcomes

There are no Optional Outcomes specified for this framework. Employers in collaboration with the apprentice and training provider may wish to consider subject specific units of learning (for example SQA's *Law of Contract: An Introduction*), training or other qualifications to tailor this framework to meet local and individual business needs. Please see the 'Career progression' section for details of other complementary training and qualifications.

Registration and certification

This Scottish Modern Apprenticeship is managed by Skills for Justice. The SSC is the first point of contact in Scotland for any enquiries in relation to the Framework. Contact details:



The SSC will register all Scottish Modern Apprentices undertaking this Framework. **All Modern Apprentices must be registered with the SSC within 4 weeks of starting their apprenticeship.** Registration can be made by completing the Sample Training Plan and Sample Training Agreement in Appendix 3 and sending these to the above address or completing the online registration system (MA Online, www.maonline.org.uk). In the case of MAs which receive funding it is acceptable for the Skills Development Scotland Training Plan to be used on the condition that it includes all relevant information as set out in the MA Training Plan.

The SSC will issue a Modern Apprenticeship Certificate of Completion to those Modern Apprentices who have completed the mandatory outcomes of the Framework. Before a certificate is issued, training providers must submit evidence to the SSC that the mandatory outcomes have been achieved. This will normally be in the form of photocopies of certificates from awarding bodies.

Requests for registration and certification should be made to the SSC at the address above.

SSC service level

The SSC undertakes to confirm the registration of candidates in writing within 4 weeks of receipt of the relevant Training Plan and Training Agreement. Each candidate will be issued with a unique registration number.

The SSC also undertakes to issue Certificates of Completion within 4 weeks of receipt of the appropriate evidence that a candidate has completed the outcomes as stated in the Training Plan.

Recruitment and selection

The recruitment and selection of Modern Apprentices is primarily the responsibility of the employer. However, the following guidance is given:

- Employees may enter a Modern Apprenticeship from the age of 16. There is no upper age limit.
- The Modern Apprenticeship is designed to attract high quality people to the industry. Achievement of academic qualifications is one way of assessing the suitability of applicants. However it should be stressed that no persons should be deterred from applying for a Modern Apprenticeship because of a lack of formal educational qualifications. As well as traditional qualifications such as Standard Grades and Highers, employers should also be aware of newer vocational qualifications or vocational activity undertaken outwith an academic institutions, such as volunteering activity.
- The following factors may also influence the selection process:
 - Performance during a formal interview process
 - References
 - Relevant work experience
 - Trial observation period.
- Employers should be aware of the nature, relevance and quality of foreign qualifications and make appropriate allowances concerning entry requirements.
- In order to promote and maintain the high status of the Modern Apprenticeship within the industry all literature distributed for recruitment purposes should emphasise the high standards of achievement expected of candidates.
- Employers may wish to contact the SSC for advice and guidance on recruitment and selection.

There are no formal entry requirements for this Framework. However many employers will expect a high standard of literacy and numeracy e.g. good grade Standards / Nationals or Highers or a proven ability to work at this level, such as experience gained through employment or voluntary work.

Trust, integrity and honesty are all characteristics valued by legal services employers. Some employers may require successful applicants to undertake disclosure checks.

Skills for Justice regard it of high importance that all Modern Apprentices are recruited fairly and equitably, and have both the ability and commitment to achieve all of the outcomes of the Modern Apprenticeship.

Equal opportunities

Modern Apprenticeships should ensure that there is equality of opportunity for all and any barriers (real or perceived) are addressed to support anyone seeking to enter employment to undertake the Modern Apprenticeship.

All Modern Apprenticeships supported by Skills Development Scotland must conform to any contractual requirements on equal opportunities. All employers of Modern Apprentices should have an equal opportunities policy statement.

Health and safety

All aspects of health and safety at work must be recognised within the delivery of this Modern Apprenticeship Framework and all statutory requirements be adhered to.

It is a key aspect of the induction period of the Modern Apprenticeship that apprentices are fully informed both of the regulations and that they and their employers are bound by these regulations. Modern Apprentices should be made aware of their rights and duties with regard to health and safety.

All Modern Apprentices supported by Skills Development Scotland will be required to satisfy the adequacy of SDS's Health and Safety Policy and systems.

Contracts

The following three contracts are essential to the successful outcome of the Modern Apprenticeship programme:

1. Contract of employment signed by the employer and the Modern Apprentice.
2. SSC Training Agreement - this agreement outlines the basis of the Modern Apprenticeship, refers to the contract of employment and includes health and safety responsibilities.
3. SSC Training Plan - this plan outlines the selected outcomes and the expected duration of the apprenticeship. In cases where funding is offered by SDS, the SDS Training Plan will be sufficient on condition that it contains all relevant information as set out in the MA Training Plan at Appendix 2. Training Plans may be modified to reflect changing circumstances; however it is essential that the SSC is notified of any changes.

Employment status of Modern Apprentices

It is important that the sector offers genuine employment and career prospects to those people it wishes to attract through Modern Apprenticeships. Accordingly, **all apprentices must be employed for the duration of the apprenticeship.**

Terms and conditions of employment

In order to compete with other sectors offering Modern Apprenticeships, attractive packages will need to be developed by employers in the sector. The terms and conditions of employment for individual Modern Apprentices will be agreed between the employer and the apprentice and should form the contract of employment.

Training and development

Delivery

Training delivery can take many forms under the Modern Apprenticeship system. Some organisations may become approved SVQ Assessment Centres; others may join a consortium or use peripatetic assessors. Some large employers will be able to complete all the training and development in-house, but most employers will find that some of the training and development will have to take place away from the normal workplace. In particular the underpinning knowledge requirements are often more suited to delivery by outside training providers which might include:

- private training organisations
- colleges / universities
- other employers.

Such knowledge could be delivered through training courses or through open/distance learning packages.

The option of sharing training and assessment resources amongst a cluster of employers (or across the divisions of a larger employer) will be particularly appealing to those firms which do not have the resources to provide all of the training and development. Assessment can be provided by these bodies, but assessors and training centres must be approved by the awarding bodies for the SVQ and Core Skills where appropriate.

This is a new SVQ and the first sector specific Modern Apprenticeship Framework within legal services and at the time of writing / publication there are no training providers yet approved to deliver the Framework.

We anticipate training providers being approved by spring 2014. These may be large employers or private and further education providers involved in the existing delivery of legal vocational education and training in Scotland.

The Framework has been highlighted to a number of potential training providers across Scotland and early interest has been expressed. Capacity is expected to develop in line with employer demand. Activity is ongoing to develop delivery infrastructure and updates will be available on Skills for Justice's website www.sfjuk.com.

The SSC training plan

The plan is required to identify:

- 1 the selected Framework outcomes, specifying whether or not separate certification of the Core Skills is being sought
- 2 a summary of the Modern Apprentice's accredited prior learning
- 3 a timetable for achievement of the selected Framework outcomes, linked to regular progress reviews.

The Training Plan should take into account any relevant previous training and development, education or work experience. Not all Modern Apprentices need have different plans, but many will vary. Moreover as reviews take place and circumstances change so the plan itself can be modified.

However any changes must:

- be subject to the quality provisions of Skills Development Scotland (if the Modern Apprenticeship is being financially supported)
- comply with the stipulations of this Framework
- meet the needs of the employer and apprentice.

A sample Training Plan is provided at Appendix 3 of this document, however, for those Modern Apprentices funded by SDS area office it is sufficient to submit the Skills Development Scotland Training Plan on condition that it covers the same information required in the Modern Apprenticeship Training Plan.

Consultation Process

Skills for Justice carried out a detailed two part consultation process with employers, training providers, key stakeholders and employees from June 2013 to October 2013 to develop the Paralegal Practice Modern Apprenticeship (MA) Framework. This combined a series of face-to-face meetings, workshops and two surveys. Separate consultation activities focused on:

- the development of a new bespoke SVQ
- the development of the Modern Apprenticeship framework.

Skills for Justice used a variety of research methodologies to ensure that the information and views collected were valid and reliable to be used to inform the design of the new Framework. Skills for Justice allocated a dedicated project team to deliver this work.

A working group was established with subject matter experts from legal sector organisations – these were predominately Scottish employers and employers from outside of Scotland with a workforce located in Scotland. The working group informed the design / selection of the Framework's components. A summary of the working group members' contributions is listed below:

- Attended workshops to:
 - confirm competence qualification selection
 - design the chosen competence qualification
 - design the draft MA Framework
- Worked remotely to provide further information as required by email and telephone
- Provided contacts for wider consultation
- Provided sector expertise for credit and levelling and Core Skills mapping activities
- Reviewed and approved the final Framework prior to Modern Apprenticeship Group submission.

An e-survey was circulated amongst Scottish employers and key stakeholders across the wider sector to obtain views and feedback on the draft MA Framework. The survey was designed to check the content of the MA Framework is fit for purpose for those working in Paralegal Practice in Scotland. The survey was sent directly to 69 stakeholders. The project's consultation activity generated 20 responses that have contributed to the development of and support for the framework, a response rate of 29% (60% employers / 10% training providers / 10% higher education institutions / 15% trade bodies & associations / 5% individual).

SQA Awarding Body and SQA Accreditation were included in the process and consultation, as were training providers and Skills Development Scotland. The SVQ competence based qualification was approved by SQA Accreditation in September 2013. SQA Awarding Body accredited the qualification October 2013.

Responses received broadly supported the framework and its components (90%). Suggestions for amends primarily related to the Optional Outcomes.

List of respondents (organisation name used to anonymise individuals):

Organisation	Consultation method
DWF	Working group
Lyons Davidson	Working group
Brodies LLP	Working group / consultation responses
Law Society of Scotland	Working group / consultation response
SQA Accreditation	Working group
Young & Partners	Working group (virtual)
Duncan & Wallace	Working group (virtual)
Campbell Smith WS LLP	Consultation response
CLT Scotland	Consultation responses
Dundas & Wilson	Consultation response
University of Edinburgh	Consultation response
New Galaxy Services	Consultation responses
Mailers	Consultation response
Peacock Johnston	Consultation responses
Robert Gordon University	Consultation response
The Society of Law Accountants in Scotland SOLAS	Consultation response
Jardine Donaldson	Consultation response
DMD Law LLP	Consultation responses
Anon (an individual paralegal)	Consultation response
Scottish Paralegal Association	Consultation responses
Simpson & Marwick	Consultation response
Stronachs LLP	Consultation response
Morton Fraser	Consultation response
Motherwell College	Consultation response

In addition to the above, the development work has been highlighted to and / or discussed with Scottish Government, training providers, awarding bodies and a range of other stakeholders within the sector.

Career progression

Following completion of the Modern Apprenticeship, candidates should be able to achieve positions in areas such as:

Progression into this Modern Apprenticeship may be:

- via direct entry from school or college (most likely after completing Highers)
- from a work-based employability programme
- via direct entry from another occupation e.g. administration, customer service, etc.
- via direct entry for existing staff progressing within a legal services organisation.

Progression from this Modern Apprenticeship may be:

- to a range of paralegal roles within legal services
- to registration with the Registered Paralegal Scheme created by the Law Society of Scotland and the Scottish Paralegal Association
- to a range of roles within the legal sector such as: solicitor, solicitor advocate, conveyancer, notary, law accountant, patent attorney, trade mark attorney (these will require significant further training and study - see the careers link below for further information)
- to training and assessment roles within legal services
- to other roles within the legal sector such as a legal adviser.

Possible further training and qualifications include:

- SQA's legal sector related Professional Development Awards
- other Technical or Professional level Apprenticeships such as in management
- professional legal services qualifications
- qualifications for management and leadership
- higher education courses such as qualifying law degrees (LLB)
- further education qualifications at SCQF level 8 and above.

To become a Registered Paralegal:

Details on how to become a Registered Paralegal can be found on the Law Society of Scotland's web pages www.lawscot.org.uk/members/paralegals/registered-paralegals .

To become a solicitor:

Details of relevant qualifications and pathways for becoming a solicitor can be found on the Law Society of Scotland's website www.lawscot.org.uk/education-and-careers .

For more information on all careers in legal services please see the following link www.sfjuk.com/sectors/legal-services .

Appendices

APPENDIX 1

Stakeholder Responsibilities

Many organisations and individuals share the responsibility for ensuring that the Modern Apprenticeship programme is implemented to the highest possible standard. They include:

- Awarding bodies
- Employers
- Modern Apprentices
- Modern Apprenticeship Group (MAG)
- Sector skills councils (SSCs)
- Skills Development Scotland
- Training providers.

Role of the sector skills councils

SSCs are responsible for developing Modern Apprenticeship Frameworks and are required to work with employers in their sectors to ensure that all Frameworks meet the needs of employers in their sectors.

For details on your sector's SSC, follow the link to the Federation of Industry Sector Skills & Standards website www.sscalliance.org.

Role of Skills Development Scotland (SDS)

Modern Apprenticeship Frameworks are used by employers as part of their workforce development to train new employees and up-skill existing members of staff. They can be (and often are) used regardless of whether financial support is available from the delivery body who currently provides a 'contribution' towards the cost of delivery. However, only approved Modern Apprenticeship Frameworks will be eligible for funding support from Skills Development Scotland who should be contacted to establish the availability and level of support for each Modern Apprenticeship Framework.

Further information is available from: www.skillsdevelopmentscotland.co.uk/our-services/modern-apprenticeships.aspx

SDS provides advice and guidance to individuals on the range of Modern Apprenticeships and training providers available. Individuals are signposted to opportunity providers who offer training in the vocational areas of interest.

Responsibilities include:

- supporting the Modern Apprentice with ongoing career planning advice
- signposting candidates to suitable vacancies
- promoting the Modern Apprenticeship route on the Skills Development Scotland website
- facilitating recruitment events that bring together jobseekers and opportunity providers.

Role of the awarding bodies

A significant proportion of the Modern Apprenticeship is based on the assessment of the apprentice against SVQs / CBQs or SVQ / CBQ units. These qualifications are accredited by the SQA Accreditation and the Office of the Qualifications and Examinations Regulator (Ofqual) and are offered by awarding bodies.

It is the responsibility of the awarding bodies to ensure that centres are approved, that assessors and verifiers are suitably qualified, trained and monitored, and that all of the assessment criteria of the SVQs / CBQs and SVQ / CBQ units are fully met.

Role of the training provider

The role of the training provider is important to the success of the Modern Apprenticeship. A training provider can be a further education college, a private or voluntary training company or in some cases the employer themselves or employer partnerships.

Training providers are responsible for:

- confirming an appropriate Modern Apprenticeship programme for candidates
- agreeing the training needs of the candidates
- agreeing roles and responsibilities for on the job training
- agreeing where off the job training will be required and defining roles and responsibilities for this with relevant parties
- ensuring trainee / candidate has access to the best quality training opportunities available
- ensuring that the Modern Apprentices and employers fully understand the principles and processes of competence-based assessment
- registering of Modern Apprenticeship candidates with the relevant SSC (and Skills Development Scotland if appropriate).
- compiling and agreeing assessment schedules / assessment plans
- judging performance evidence
- completing assessment records
- reviewing candidates progress at regular intervals
- submitting records and evidence for moderation
- advising the Modern Apprentice who to approach for support, advice, encouragement and in case of complaint.

Role of the Modern Apprenticeship Group (MAG)

MAG is an independent group drawn from key stakeholders involved in the management and delivery of the Modern Apprenticeship programme in Scotland.

MAG is responsible for:

- approval and re-approval of Modern Apprenticeship Frameworks
- de-approval of Modern Apprenticeship Frameworks
- encouraging best practice across Modern Apprenticeship Frameworks and sectors.

Role of the Employer

Employers' responsibilities include:

- paying all Modern Apprentices in accordance with company policy and in line with current legislation
- agreeing roles and responsibilities for on the job training
- agreeing where off the job training will be required and define roles and responsibilities for this with relevant parties
- highlighting opportunities for the Modern Apprentice to demonstrate competence
- meeting with trainers, assessors, verifiers and the Modern Apprentices to review progress
- witnessing candidate performance and verifying evidence
- releasing Modern Apprentices for college / off-the-job training in line with training plan
- ensuring the experience, facilities and training necessary to achieve the outcomes of the training plan
- supporting and encouraging Modern Apprentices and rewarding achievement
- taking responsibility for the health & safety of Modern Apprentices.

Role of the Modern Apprentice

Modern Apprentices have the same responsibilities to their employer as any other employee. In addition they have a range of commitments to their training programme.

Modern Apprentices' responsibilities include:

- observing the company's terms and conditions of employment
- agreeing a training / development plan with all parties involved
- undertaking development in line with agreed training plan
- attending meetings with trainers, assessors and verifiers as required
- attending college / off-the-job training where required
- providing evidence of competence
- developing a collection of evidence (portfolio) and retain ownership of this throughout
- behaving in a professional manner throughout.

APPENDIX 2

Modern Apprenticeship Centres (MACs)

Modern Apprentices may only be registered through organisations approved by the SSC to deliver this Framework. Such approved organisations are called Modern Apprenticeship Centres (MACs).

The MAC may be the employer of the apprentice or a separate organisation such as a training provider, further education college, a private or voluntary training company or in some cases the employer themselves or employer partnerships.

In order to be approved, organisations must make a formal application to the SSC, seeking approval and establishing that the centre satisfies the following criteria:

Either

- 1 be approved by an appropriate awarding body as a centre for the assessment of the relevant SVQ / CBQ (and Core Skills if these are being separately certificated)

or

- 2 be capable of demonstrating a contractual relationship with another approved centre for the assessment of those units for which the MAC does not have approval from an appropriate awarding body.

In addition

The SSC will maintain a database of MACs for the delivery of the Framework within Scotland, which will be available to employers and others.

Organisations wishing to become MACs who have yet to obtain the necessary awarding body approval for assessment should first contact the awarding body direct.

Organisations wishing to be accredited with SQMS (or other appropriate quality system) should contact Skills Development Scotland.

In addition to the assessment of the Modern Apprentice against the relevant standards set by the selected Framework outcomes, the MAC has responsibility for:

- entering into a formal training agreement with the employer and Modern Apprentice
- registering Modern Apprentices as candidates for the relevant SVQs / CBQs and other selected units with the appropriate awarding body
- registering Modern Apprentices with the SSC
- applying for the final 'Certificate of Completion' on behalf of Modern Apprentices
- informing the SSC of any material alterations to Modern Apprentices' training plans or desired changes to the selected Framework outcomes.

APPENDIX 3



MODERN APPRENTICESHIP SAMPLE TRAINING AGREEMENT

This Training Agreement is entered into by:

Name of Employer:	
Name of Modern Apprentice:	
Name of Modern Apprenticeship Centre:	

The **Employer’s responsibilities** are to:

- 1 employ the Modern Apprentice subject to the employer’s usual terms and conditions of employment;
- 2 provide the Modern Apprentice with the facilities, training and work place opportunities necessary to achieve the selected Framework outcomes specified in the Apprentice’s personal training plan;
- 3 pay the Modern Apprentice an agreed salary which reflects the obligations of the employer and the opportunities for the Apprentice;
- 4 in the event of the Employer becoming unable to retain the Modern Apprentice after completion of the apprenticeship, to use reasonable endeavours to secure employment elsewhere;
- 5 in the event of the apprenticeship being terminated prematurely by either the Employer or Modern Apprentice for any reason other than dismissal for unsatisfactory performance or misconduct, to use reasonable endeavours to secure employment and continuation of this apprenticeship elsewhere;
- 6 operate a formal health and safety policy and undertake the necessary legal and contractual responsibilities for health and safety of the Modern Apprentice; and
- 7 operate an equal opportunities policy which meets all legal requirements.

The **Modern Apprentice’s responsibilities** are to:

- 1 work for the Employer in accordance with the agreed terms and conditions of employment;
- 2 undertake training, attend courses if required, keep records, and take assessments to be determined by the Employer and/or Modern Apprenticeship Centre, and carry out such work as may be required in order to achieve the selected Framework outcomes specified in the Apprentice’s personal training plan;
- 3 be diligent, punctual, behave in a responsible manner and in accordance with the requirements of health and safety legislation relating to the Apprentice’s responsibilities as an individual; and
- 4 promote at all times the Employer’s best interests.

The **Modern Apprenticeship Centre’s responsibilities** are to:

- 1 agree the content of the Modern Apprentice’s personal training plan as confirming that the selected Framework outcomes and training plans meet the criteria of this Modern Apprenticeship
- 2 contract with the Employer to provide the training and assessment necessary to enable the Modern Apprentice to achieve the selected Framework outcomes specified in the Apprentice’s personal training plan; and
- 3 use its best endeavours to ensure that the Employer provides the Modern Apprentice with the facilities, training and work place opportunities necessary to achieve the selected Framework outcomes specified in the Apprentice’s personal training plan.

This agreement to be signed by all parties:

Employer		Date:
Modern Apprentice		Date:
Modern Apprenticeship Centre		Date:



MODERN APPRENTICESHIP TRAINING PLAN

The Modern Apprenticeship Centre

Name:
Address:
Telephone:
Contact:

The Modern Apprentice

Full name:
Home address:
Work address:
Date of birth:

The Employer

Name:
Address:
Telephone:
Contact:

Skills Development Scotland office

Name:
Address:
Telephone:
Contact:

Framework selected outcomes

Mandatory outcomes

SVQ / CBQ Level (please identify level) <i>(List mandatory and optional units)</i>		Tick units being undertaken	SCQF Level	SCQF Credit Points
SVQ / CBQ level (please identify level) <i>(List mandatory and optional units)</i>				
Enhancements				

Core Skills <i>(Include details of the minimum level required)</i>		Tick units being undertaken	SCQF Level	SCQF Credit Points
1	Communication			
2	Working with others			
3	Numeracy			
4	Information and communication technology			
5	Problem Solving			

Optional outcomes

Additional units (if any) <i>These are optional and should reflect the individual training needs of the Apprentice</i>		Tick units being undertaken	SCQF Level	SCQF Credit Points
	(specify unit)			

Summary of Modern Apprentices accredited prior learning:

If you require assistance in completing this form, please contact:

Certification Team
Skills for Justice
Distington House
Atlas Way
Sheffield
South Yorkshire
S4 7QQ

0114 261 5800
certification@sfjuk.com