**TCPD 2024 NOTICE BOARD**

**COURSE HANDBOOK**

**TRAINEE CONTINUING PROFESSIONAL**

**DEVELOPMENT (TCPD)**

**All enquiries to**

**consultation@sheridanssolicitors.co.uk**

**January 2024**

Advance Notice: probably the most important practical points arising from this document are (a) you require to keep in electronic contact with the programme throughout and therefore ensure that we have an operative email address for you and through which we can deliver the programme whether by emails, zoom, podcasts or whatever and (b) the time limits within which material has to be returned must be strictly observed otherwise it will not be accepted or count towards your TCPD required hours.

**INTRODUCTION**

This booklet is designed to introduce you the Trainees’ Continuing Professional Development (TCPD) programme as prescribed by the Law Society as a required part of your training in order to become an enrolled solicitor. This course removes you from the steep learning curve of your normal traineeship duties and, in order to justify that interruption as well as the cost to yourself and your training firm, we recognise that this course must seek to present you with an even steeper learning curve and we shall therefore try to present you with as much insight as possible into at least some of the difficult issues of professional practice. The exercise, as you may gather, is not a passive one in which you will be told what to do and what to know but rather a dynamic interactive programme which will give you value in relation to what you put into the course. Please study carefully the advance paperwork and please be wholehearted in your participation in the course and please do not hesitate to let us have your contribution, either in accordance with the prescribed construction of the course or otherwise simply in the light of what you, yourself, as a fellow professional see fit to bring to the programme as part of your own professional wisdom and insight and for the general benefit of the whole training exercise.

*The following notes with regard to dress code and mobile phones are applicable to face to face meetings rather than to the virtual meetings which at least some of the 2024 delivery will utilise. Nevertheless, for the purposes of our face to face meetings, please note the following****:-***

*Dress Code*:- What we normally find is that trainees attend casually dressed, with no real dress code whereas the trainers who are usually coming and going between meeting clients, making court appearances etc are in normal, business dress. However, those trainees who are making representations at court in the civil litigation module might feel more comfortable if they are dressed as for business. Likewise, when attending at the Royal Faculty of Procurators in connection with the civil litigation module, again, trainees might feel more comfortable if dressed as for business. Some of these exercises shall be recorded, either electronically on zoom or by video camera at face to face meetings and trainees should dress as they would wish to appear on the these recordings.

*Mobile phones:-* It is appreciated that trainees may wish to be in contact with their offices during this course but trainees who wish to keep their phones switched on during the course are asked to set them to vibrate rather than to ringing out.

NB As at least much this course is likely to be delivered online it is essential that you are in email contact with myself seven days a week. If there will be any issue that you cannot receive personal emails during office hours or office emails when you are out of the office then you require to provide me with both email addresses to both of which all course emails will be issued. In such cases, for the purposes of my address book I will require a second name for each second email address and I will reverse your first and last names for that purpose eg Sheridan, Michael and Michael, Sheridan. All email and other correspondence must include TCPD2024 in the subject line otherwise it might not reach its destination and will be treated as not received.

**COURSE OBJECTIVES**

1.1 Aims

The course aims to develop the skills which trainees have acquired from their undergraduate study, their post graduate diploma experience and their practice of law in the early stages of the traineeship. The course therefore specifically aims to provide practical guidance and training in ;-

Professional Ethics and Standards

Professionalism

Professional Communication

Business, Financial, Commercial and Practice Awareness

Substantive and Relevant Legal Knowledge

**At this stage in your legal career you are not expected to be passive listeners to the programme and you should be willing and able to promote the study and exploration of these topics by advancing your own input from your studies and experience by making observations or raising questions either by email or in the course of live discussion.**

1.2 Transferrable Practice

In recent years there has been a great deal of expansion in the amount of substantive law as well as in the number of specialist areas in which lawyers are required to practise. Due to the increase of substantive law in each of these specialist areas, there is a growing danger that these areas may lose sight of each other and the common denominator of legal practitioner may become less meaningful. It is therefore an important element in this training programme that an attempt is made to focus upon and develop those skills which are transferrable from one area of practice to another.

The programme shall demonstrate that appropriate drafting, writing and communication are as important for the purpose of taking instructions and preparing written pleadings for the purposes of litigation as they are for the construction of missives in chamber practice. Equally, the trainee who is engaged mainly in chamber practice shall be shown the importance of the underlying agenda, namely, that all legal business may ultimately be subject to appraisal at the bar of the court. The course therefore includes training in both chamber practice and litigation.

1.3 Building upon the Diploma

It is essential that the construction and delivery of the TCPD takes account of the important difference between the context of its delivery and the context of the delivery of the diploma. While the diploma is delivered, usually, immediately after the completion of the academic law degree, to students who have either no experience of legal practice or the limited experience of temporary placement, the TCPD is delivered to trainee solicitors who do have significant experience of professional legal practice which in itself is the steepest of learning curves. In order to justify itself therefore the TCPD has to provide not only a positive learning programme but one which justifies missing the same period of legal practice.

The most valuable single commodity available to theTCPD which is not available to the diploma is the drawing together of the trainees' different experiences from their legal practice so far, coming from diverse geographical and jurisdictional areas,

1.4 Assessment

1.4.1 Performance of Course:-

As the Law Society requirement is that this course be undertaken and not that any measured level of performance be attained, the only formal assessment that shall be undertaken shall be the assessment of

attendance including participation in podcast deliveries and making returns where these are required to make up the numbers of hours undertaken. For face to face meetings a record of signed in attendance shall be maintained at all stages of the delivery of the course. For Zoom deliveries, screen shots shall be taken in order to record attendance. Please therefore ensure that your proper name appears as part of your Zoom presentation profile. Please note that zoom attendance can only be credited where you attend with a functional camera which remains operative for the whole of the meeting.

Because of our obligation to maintain accurate records which may be subject to Law Society inspection and audit, we will not normally be able to credit an attendance for which no signature (or email return to podcast delivery) has been entered. It is therefore your own responsibility to ensure that you have signed the attendance sheet (or sent the email returns required for podcast attendance) for each meeting which you have attended. If you fail to sign in you will not be credited with the attendance.

1.4.2 Course Evaluation

You will be invited to complete and return an anonymous evaluation of each module in the course. However you are invited also to comment at any time upon any aspect of the programme and, as stated elsewhere, you are invited in particular to identify problem issues from practice or particular topics which think might helpfully be addressed in the course. Trainees are invited also to discuss the course with their training firms before, during and after the delivery of the course and to bring us views and observations from such discussions.

COURSE ADMINISTRATION:-

2.1 Accommodation

This course shall be delivered at least partially online but there shall be a number of face to face meetings which shall usually be accommodated within the premises of the Royal Faculty of Procurators in Glasgow at 12 Nelson Mandela Place Glasgow G2 1BT. Where trainees are for good reason, such as geographical remoteness, unable to attend face to face meetings then we shall, where practicable, make the meeting available to those trainees by zoom.

2.2 Course Regulations

2.2.1 The programme will deliver the **Trainees Continuing Professional Development** programme (TCPD) (the Course) of the Law Society of Scotland as provided in the Law Society of Scotland Guidelines for and subject to the relevant regulations of the Law Society of Scotland.

The Course Director is Michael Sheridan, solicitor, 166 Buchanan Street Glasgow.

2.2.2 The course fee of £**1200.00** shall be paid in full before the commencement of the programme unless a special arrangement has been made for payment to be made on some other agreed terms. No certification of attendance or performance will be issued until the whole course fee has been paid

2.2.3 Trainees seeking to take the course shall require to lodge with the course director, before the commencement of the course, a deposit of £100 and an application on the form provided. Trainees shall be informed at least six weeks before the commencement of the course as to whether or not their application has been accepted and a trainee who has not had his application accepted by that date shall receive the return of the said deposit of £100. Trainees may withdraw their application at any time before acceptance and, again, on doing so shall receive the refund of the said deposit of £100. Trainees who wish to withdraw from the course after their application has been accepted may not receive the return of the said deposit. The provider reserves the right to cancel the course at any time on the event of insufficient uptake. A trainee who has paid the deposit and made an application which has been accepted shall be responsible for the whole balance of the course fee which becomes due and payable not later than one week prior to commencement of the course.

2.2.4 The course director shall certify to Law Society of Scotland the completion of the TCPD programme by each participating trainee but only as and when each trainee has paid for and completed the whole course and it shall not be possible to provide such certification for any trainee who has not attended the whole course and paid the course fee.

2.2.5 Performance on the course shall not be assessed except that attendance on the course shall be monitored strictly and course participants shall not be certified as having completed individual modules unless and until the module trainer for each module or the course director has certified that the trainee has duly performed the work required by each relative module.

2.2.6 Trainees taking this programme may satisfy part of the Law Society requirements by undertaking Supervised Independent Study (SIS) relevant to and prescribed during the delivery of the programme. This shall include time recorded as having been applied to the perusal of course papers and preparation carried out prior to each meeting and to the completion of exercises prescribed at various meetings.

Credit of up to thirty minutes of SIS will be given for preparatory reading only when a material question or submission relevant to the respective module has been intimated to the course director at least 48 hours prior to the delivery of the respective module.

In order to maintain the relevance of SIS work and also for the purposes of proper record keeping, trainees will be credited for SIS only in respect of work undertaken and recorded and returned to the course director within seven days after the delivery of the module to which it relates. An appropriate amount of SIS time will be attributed to each specific exercise. The course director’s record of SIS shall be final and shall not be subject to any negotiation or alteration. You will not be credited for TCPD hours for any time in excess of the time specified as appropriate in the List of Elements.

2.2.7 Certain parts of the programme shall be delivered by **zoom** and these deliveries shall be recorded for programme purposes only. All trainees taking the course are therefore understood to have consented to having their images recorded on these videos. At the same time, all trainees on the programme accept that they are subject to an obligation to treat these videos as confidential and not to reproduce or publish them in any manner. The ownership of such audio and video recordings shall remain with the programme creators who and shall be entitled to use them along with all other programme materials for all proper relative to the preparation, advertising and delivery of the programme. Similarly, while course materials may be circulated on paper or by email or by Dropbox, it is a condition of participation in this programme that these materials are confidential and shall not be shared with other persons and that any Dropbox access which is provided shall be held in confidence and shall not be shared with other persons.

While we have drawn up a full programme and try to keep this up to date, we have to be aware that the persons taking the course have already studied for a law degree, undertaken a practical diploma and engaged in legal practice in law offices. They are therefore already very expert in the subject matter of our programme and we would be quite happy to amend the course content to take into account and to address any issues which you which to raise. Please therefore consider assisting the delivery of the course by offering your own input at any stage with reference to what you have already learned and experienced in legal practice.

Podcasts.

Certain of the programme modules shall be delivered by podcast. As with the whole of the programme this has to be done is such a way that the programme is seen to satisfy the Law Society requirements as to attendance and participation. The podcast modules all require contemporaneous email engagement. That means that unless you return the emails, both contemporaneously during the podcast and, with time for reflection and composition, at specified times after the completion of the podcast delivery, again as prompted during the podcast delivery, then you cannot be credited as having attended the module.

3. Group List

A list of the members of colleagues on this programme is set out elsewhare on the TCPD 2024 Notice Board

Please note the number shown against your name as these numbers will be used to construct inter active exercises during the programme.

4. .Re-Admission to the Programme.

The programme will provide you with the opportunity to meet and exceed the whole of TCPD requirements demanded by Law Society regulation. If you do not carry out sufficient engagement to meet those requirements then you may well be able to make up the missing hours elsewhere but, if you require to be admitted to a subsequent delivery of this programme this will cost from a minimum of £200, depending upon the extent of the additional hours required. You might note that if you fail to take advantage of this programme to complete your 60 hours of TCPD requirement you are not only giving yourself the problem of having to make this up elsewhere but you are also causing extra administration for those colleagues tasked with the administration of professional education and training.

5. Time limits. The time limits within which work has to be returned are fairly generous and take into account the fact that you may have more pressing work to carry out in your traineeship. On the other hand, it is simply not possible to receive and review and give credit for material which is returned out of time because, by that time we are attending to the returns for subsequent modules. Please note therefore that **failure to meet time limits will result in work not being credited and we will not be willing to enter correspondence on the issue.**

6. Quality of work. There is no element of pass/fail assessment for this programme but assignments which are returned for Supervised Independent Study purposes will only be credited if they contain reasonable content of which the Course Director will be the sole judge ie please don’t take the mickey.

7. Scottish Law Agents Society (SLAS). Because SLAS provide us with up to date working material for the programme it is necessary for each member of the group to take out temporary SLAS membership. An application form will be provided for completion and return and there is no joining fee or any other commitment. Your membership will last until the end of 2024 and will terminate automatically unless you decide to continue your membership (recommended).

Any comments on this booklet?

Should the TCPD be assessed?

What training would you like to include?

Any specific questions or problems in hand?

Does Independent Study add to the programme?

Please send any queries to:-

consultation[@sheridanssolicitors.co.uk](mailto:michael@sheridanssolicitors.co.uk)

ADDENDA

Record Keeping. I have been asked during previous deliveries to tell trainees what modules they have attended and what SiS they have returned and I have not been happy about the time taken to trawl emails and other records to answer these queries and I do not intend to do so this time round. Instead I will create a spreadsheet showing the TCPD times attributed to each respective trainee and I will maintain and update that document on the programme Dropbox noticeboard in order to provide all concerned with a running commentary of hours credited. We will see how that works.

The following apply if we are able to deliver any of the programme face to face :

While we are privileged to have the use of the venerable old building of the venerable old Royal Faculty of Procurators in Glasgow, the heating is sometimes more venerable than warm and there is some cold weather predicted to coincide with the start of the programme and you are recommended to dress warmly. A cashmere scarf is highly recommended

There are steps up into the building and steep steps down to the toilet area so please let me know if you have any issues with the use of steps.

We will have the exclusive use of the great hall of the Faculty but we cannot guarantee security and you should not leave personal or valuable possessions unattended.

I will generally issue papers for each module about a week before the presentation of the module and would be obliged if you would let me know beforehand if possible if you will not be in attendance. This is to assist the preparation of inter active exercises.

A light sandwich lunch will be provided each day which has morning and afternoon face to face sessions. If you have any special dietary requirements then, by all means let me know, but you will probably be on your own. This is to save you time foraging for sustenance and to increase the time available for meeting and talking with each other – often said to be the most educational part of the programme – but you are, of course welcome to decide for yourself how to spend free time.

Finally, we intend to convene some of the TCPD under the heading of a Work Related Training Programme in terms of which we propose to incorporate some of the work which you carry out as a trainee solicitor into the hours required to complete your TCPD requirement. We will issue fuller details during the programme.

End of document

Those items identified in the time table as SIS refer to the Supervised Independent Study scheme under which work undertaken outwith the contact hours which is relevant to the programme and is also prescribed as part of the programme will be credited to the number of hours undertaken by each trainee but only on submission of satisfactory written evidence of the work carried out eg time spent revising specimen documents.

End of document