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Subject	Public Consultation on new Paralegal level 3 framework

## Purpose

The purpose of this Public Consultation document is for the trailblazer group to seek comments and feedback on the proposed changes to the level three paralegal apprenticeship standard.

The level three paralegal trailblazer group is formed of approximately 17 employers across the public and private sector, training providers and end point assessment organisations.

## Background Information

The current level three paralegal apprenticeship was approved for delivery on 3 September 2015 and has been awaiting a review since 2021. Legal apprenticeships (in particular the level three paralegal standard) have been hugely successful and have broadened the access to the legal profession.

However, the constant evolution of the legal industry has meant that the standard approved in 2015 is in need of review, to ensure it continues to meet the sector's needs.

As well as being an effective standalone apprenticeship, the paralegal standard has been (and will continue to be) a springboard for further progression to higher level legal apprenticeships and vocational qualifications. For some, it will also be a progression route from the T Level in Law currently in development.

This consultation also sits within the wider context of the review of legal, finance and accounting pathways by the Institute for Apprenticeships and Technical Education, the consultation for which ends on 18<sup>th</sup> November (Details here:

<https://www.instituteforapprenticeships.org/about/newshub/news-events/have-your-say-on-the-future-of-legal-finance-and-accounting-skills-training/>)

## Overview of the new Paralegal Apprenticeship Framework

The new standard (Appendix 1) should allow employers to have greater flexibility to use the level three paralegal apprenticeship in organisations of any size and in any sector.

Through collaboration with employers, training providers and end point assessment organisations, we are confident that the new framework will also address the skills gaps identified in the previous model.

There has been a greater focus on future proofing the role and developing key business skills such as analytical skills, research, communication and time management. The standard has struck a good balance of understanding the wider English legal landscape with the ability to focus on the law relevant to the apprentice's organisation.

Finally, the new End Point Assessment are in-keeping with the type of work expected of the apprentice in the workplace. The opportunities following successful completion of the level three standard are much clearer and will allow for progression on to other legal qualifications (level 4 to level 7).

## Support the Trailblazer by Submitting Feedback

Paralegals (and job titles with a similar focus) have become the fastest growing role within the legal services sector.

The trailblazer group has worked very hard in designing a new framework of Duties, alongside relevant Knowledge, Skills and Behaviours (KSBs) that ensures a paralegal receives a wholesome, well rounded training programme that they can apply in the workplace.

We need your help to progress the standard forward.

The trailblazer group needs to understand if the new Duties and KSBs match what the wider sector (law firms, in-house teams, and clients) expects from first-tier paralegals. It is vital that the standard is relevant, that it meets your needs and that it will support the sector to widen access and develop high performing legal professionals.

This [Survey Monkey link](#) will allow you to submit your feedback to the trailblazer group (anonymously if you wish). The survey consists of 14 short questions and should take you no more than 10 minutes to complete.

The consultation on this standard will run from **Friday 7 October to Friday 21 October 2022**.

### **Next Steps**

The trailblazer group is aiming to have the new standard submitted to Institute for Apprenticeships & Technical Education (IFATE) for approval in **November 2022**, to have the new standard approved for delivery in early 2023. It is likely that the first cohort of apprentices will study towards the new standard from August 2023.

Once feedback has been gathered a final review will take place and a funding band will be determined.

## Appendix One – A copy of the new level three apprenticeship standard



### **Standard in development**

#### **L3: Paralegal**

#### **Title of occupation**

Paralegal

#### **UOS reference number**

ST0245

#### **Core and options**

No

#### **Option title/s**

#### **Level of occupation**

Level 3

#### **Route**

Legal, finance and accounting

#### **Typical duration of apprenticeship**

24 months

#### **Target date for approval**

01/01/0001

#### **Resubmission**

No

#### **Would your proposed apprenticeship standard replace an existing framework?**

No

#### **Does professional recognition exist for the occupation?**

No

#### **Occupation summary**

- Paralegals work alongside law professionals such as solicitors and chartered legal executives. A paralegal mainly gives legal advice on routine and straightforward matters. They support other legal professionals including on regulated aspects of law. A paralegal can be found in many contexts, from small legal firms on the high street to large multi-nationals. They can work in the private or public sector. They can work within in-house legal departments, legal services firms, not-for-profit sector and charities.
- Paralegal is a profession providing legal support whilst working under supervision. It can also be a typical entry point into the legal sector. A paralegal receives work and requests from many people at once, as well as having their own duties.
- The ability to work under pressure and to meet deadlines is essential because people will be relying upon the paralegal to complete their tasks. A paralegal may sometimes be asked to make judgements within specific limits on legal or working matters. Paralegals at all levels interact with clients, lawyers and other stakeholders such as the police, courts, government or regulatory bodies.
- They need to convey complex data clearly, sometimes in emotionally charged or difficult circumstances. They will be involved in supporting the team and use problem-solving skills to help get the best outcomes for the client and their organisation. Some paralegals may be doing this work on behalf of their own clients. They will be working in a regulated context and so high professional and ethical standards are vital. Paralegals research and analyse lots of complex data, keeping a high level of precision and attention to detail.
- Paralegal work can include things such as drafting legal documents, contacting clients and assisting with meetings and governance.
- A paralegal is usually office based, although they may assist at court or attend meetings with clients at off-site locations.
- The role can vary widely depending on the practice area. For example, if working in conveyancing then a paralegal is less likely to have much face-to-face contact with clients. However, if assisting on criminal work, then a paralegal may need to assist lawyers attending court and police stations and talk to suspects. Paralegals qualified to work in criminal law may also be Police Station Representatives.
- A paralegal will administer data and records. They will review documents and produce legal documents and standard forms using digital tools. A paralegal will handle confidential and sensitive data daily and so recognising data protection requirements is critical to the role. This extends to recognising the risks to data from cybercrime and the need to be vigilant. A paralegal will interpret and use basic financial data when assisting clients and other stakeholders. They will ensure that any tasks involving monies are carried out in compliance with anti-money laundering regulations.
- Paralegals can go on to be partners in law firms, heads of legal departments in the private or public sector. They may have their own legal services company providing legal services direct to litigants in person. In some instances in the lower courts, for example, some tribunals and small claims courts, paralegals may be granted the rights of audience. This means that they can advocate for their own clients directly.

Paralegals have become the fastest growing role within the legal services sector. They are often found in organisations offering legal services direct to clients

### Typical job titles

Junior paralegal

Legal file handler

Legal assistant

Legal caseworker

Legal claims handler

Legal contracts administrator

Legal contracts handler

Paralegal

**Are there any statutory/regulatory or other typical entry requirements?**

No

### Occupation duties

DUTY	KSBS
<p><b>Duty 1</b> support provision of legal advice by other legal professionals</p>	<p>K1 K2 K3 K4 K5 K7 K10 K11 K12 K14 K15</p> <p>S1 S2 S3 S4 S5 S6 S7 S8 S11 S12 S13</p> <p>B1 B2 B3</p>
<p><b>Duty 2</b> provide ethical legal services ensuring high standards of client care ensuring they are acting in the best interests of the client</p>	<p>K1 K2 K3 K4 K5 K7 K8 K9 K11 K12 K13 K14 K15</p> <p>S1 S3 S4 S5 S6 S7 S12 S13</p> <p>B1 B2 B3 B4</p>
<p><b>Duty 3</b> complete routine legal research and gather information in response to requests from others under supervision</p>	<p>K1 K2 K3 K4 K6 K8 K11 K14 K17</p> <p>S1 S2 S3 S4 S5 S6 S10 S12 S13</p>
<p><b>Duty 4</b> assist with the basic review of legal documents for example witness statements, meeting notes, contract reviews, lease agreements, bundles and produce varied correspondence</p>	<p>K1 K2 K3 K4 K6 K7 K8 K11 K13 K14</p> <p>S1 S2 S3 S4 S5 S6 S8 S9 S10 S13</p> <p>B2</p>
<p><b>Duty 5</b> draft first document drafts of legal documents and proof reading documents under supervision using digital tools</p>	<p>K1 K2 K3 K7 K8 K11</p> <p>S1 S4 S5 S6 S9 S10</p>
<p><b>Duty 6</b> use and support the use of digital technology and tools within the organisation</p>	<p>K4 K6 K7 K8 K10 K11 K15 K17</p> <p>S1 S2 S3 S4 S8 S9 S10 S11 S13</p> <p>B1 B2 B4</p>
<p><b>Duty 7</b> liaise with stakeholders appropriately and flex communication styles and tools appropriately including escalating problems when appropriate in line with organisational policies and procedures</p>	<p>K1 K2 K3 K7 K10 K11 K12 K13</p> <p>S1 S4 S7 S10 S12 S13</p> <p>B3 B5</p>
<p><b>Duty 8</b> manage own workload using digital management systems and undertakes review of casework to ensure progression is maintained and problems identified and escalated</p>	<p>K6 K7 K8 K9 K10 K11 K12 K14 K15 K17</p> <p>S1 S2 S3 S4 S6 S8 S9 S10 S11</p> <p>B2 B5</p>

<b>Duty 9</b> deliver paralegal activities in support of the organisations commercial strategy such as compliance with time billing and fee structure policies	K9 K12 K13 K14 K15 K16 S1 S3 S4 S6 S8 S13 B2 B5
<b>Duty 10</b> assist in work with clients to provide an excellent customer service on routine casework	K1 K2 K3 K6 K7 K8 K9 K11 K12 K13 K14 K15 S1 S3 S4 S6 S7 S8 S12 S13 B2 B3 B5
<b>Duty 11</b> assist in carrying out "Know Your Customer" activities to ensure that the appropriate type of scale of legal service is being provided	K1 K4 K5 K6 K7 K8 K9 K11 K12 K13 K14 S1 S3 S5 S6 S7 S11 S12 S13 B1 B3 B5
<b>Duty 12</b> administer systems to create, maintain and use client and organisation data securely	K4 K5 K6 K8 K9 K10 K11 K14 K15 K17 S1 S2 S3 S6 S8 S9 S10 S11 B2 B3
<b>Duty 13</b> ensure that all transactions and activities are carried out safely and securely to protect the organisation from threats such as money laundering, fraud and cybercrime	K4 K5 K6 K10 K11 K14 K17 S1 S2 S3 S8 S9 S10 S11 S12 B1 B3 B4
<b>Duty 14</b> identify the limits of their personal professional experience and competence and escalate instructions that are beyond their scope of expertise	K1 K2 K3 K4 K5 K6 K7 K8 K9 K12 K13 K14 K16 K17 S1 S2 S3 S4 S5 S6 S7 S9 S10 S11 S12 B2 B4

## KSBs

### Knowledge

**K1:** awareness of the principles of legal and regulatory liabilities with regards to the client and organisation to ensure compliance with all professional obligations

**K2:** An understanding of the Law and practice relevant to the work undertaken by the team in which the apprentice works such as: advocacy and mediation; commercial, corporate and

business; contracts and dispute resolution; conveyancing and property; crime; employment law; criminal and civil litigation; matrimonial and family law; will drafting, probate and administration of estates

**K3:** fundamentals of the wider English legal landscape, including: how legislation is made; the role of common law; the courts and tribunal system; and key personnel

**K4:** approaches to legal research including the use of digital resources and research tools

**K5:** principles of ethical and professional frameworks and their relevance for service delivery

**K6:** approaches to data analysis and digital tools including financial data

**K7:** approaches to drafting legal documents including clarity and precision of language

**K8:** principles of workload management including the preparation and collation of bundles, taking and filing accurate notes, closing and reviewing files, maintaining databases and version control

**K9:** awareness of the commercial drivers of an organisation including time recording and billing processes

**K10:** awareness of cybersecurity vulnerabilities in an organisation and steps that can be taken to mitigate those risks

**K11:** organisational data and information security standards, policies and procedures relevant to data management activities including legal requirements relating to the use of data, risks to confidentiality of data posed by and to client's actions

**K12:** awareness of the impact of diversity and inclusion such as on teamwork, client relationships and organisational strategies

**K13:** Awareness of the requirements for acting in the best interest of the client to protect clients and limit liability for negligence such as identifying and acting for vulnerable clients

**K14:** Awareness of anti-money laundering regulations in relation to legal transactions including personal and professional liability

**K15:** Principles of administering client accounts including the principles of time-recording and charging fee structures

**K16:** Awareness of the activities of their occupation which contribute to their 'professional carbon footprint' and steps that can be taken to reduce it

**K17:** Principles of digital tools and software such as case management systems, databases and online drafting software

## **Skills**

**S1:** assist in administering procedures regarding relationships with other lawyers and professional third parties using most effective channels to progress caseloads

**S2:** conduct legal research using selected sources such as legal databases

**S3:** solve legal technical problems within their remit in collaboration with others and escalating as needed

**S4:** present findings from legal research accurately and clearly in line with organisational expectations

**S5:** assist in applying the principles of Law to client cases

**S6:** assist with legal matters and transactions within the organisation

**S7:** communicate using plain English to provide clarification and explanation of the legal process and standard legal terms

**S8:** organise and administer workflow such as legal files, case management and accounting systems to progress work within service level expectations

**S9:** carry out file management activities such as prepare and collate bundles, take and file accurate notes, close and review files, maintain databases and version control

**S10:** use a range of digital tools and technologies, for example to draft legal documents, conduct legal research, carry out data analysis and collaborate with others

**S11:** apply fraud protection measures and cyber security procedures in relation to transactions, keeping up to date with approaches

**S12:** undertake "Know Your Client" activities to ensure a clear picture of a client's needs and risks throughout legal transactions

**S13:** assess risks and benefits to the client of a range of options, evidence and make recommendations to senior team members to ensure that they work in the clients' best interests

## Behaviours

**B1:** Ethical and Professional - adheres to professional codes of conduct in legal activities and relationships with others

**B2:** Problem Solving - generates innovative solutions to legal problems, considering a range of options and identifying when to escalate when problems are outside their remit

**B3:** Customer Service - provides a bespoke, productive and positive customer experience

**B4:** Growth Mindset - committed to Continuous Professional Development

**B5:** Collaborative and inclusive – respects diversity of thought and experience to work with stakeholders and team members

## Qualifications

### English and Maths

Apprentices without level 2 English and maths will need to achieve this level prior to taking the End-Point Assessment. For those with an education, health and care plan or

a legacy statement, the apprenticeship's English and maths minimum requirement is Entry Level 3. A British Sign Language (BSL) qualification is an alternative to the English qualification for those whose primary language is BSL.

### **Does the apprenticeship need to include any mandated qualifications in addition to the above-mentioned English and maths qualifications?**

No

### **Consultation**

xxxx

### **Progression Routes**

There is the need for a L4 or L5 Advanced Paralegal apprenticeship to bring out the complex duties and elements of paralegals working at a higher level with a higher level of responsibility and technical breadth

### **Supporting uploads**

**Mandatory qualification uploads**

**Professional body confirmation uploads**

### **Notice period**

60 days

TBG to suggest a suitable transition period in discussion with TPs and EPAOs