

**BAR
STANDARDS
BOARD**

REGULATING BARRISTERS

**Compliance with CPD Regulations
“A General Guide to CPD”**

January 2015

Contents

CPD requirements	3
CPD definition	3
How to calculate CPD hours	3
Accredited hours	3
Attendance at accredited CPD courses	4
Undertaking university courses	4
Training events	4
Calculation of CPD hours	4
Repeat courses	6
Online courses/Podcasts	6
DVDs, Videos and CD Roms	6
Other accredited activities	6
Unaccredited	6
Presenting an unaccredited lecture	7
Teaching on university courses	7
Advocacy training, mock trials and moots	7
Writing	8
Other activities	8
One-off accreditation	8
Other rules	9
Cannot count for CPD hours	9
What to do if you work for a solicitor's firm	9
What to do if you are not going to practice for the whole year	10
Frequently asked questions	10
CPD departments at the Bar Standards Board/contacts	11

CPD requirements

All practising members of the Bar are subject to the continuing professional development regulations. Compliance is an obligation of the Bar Handbook (Part 4, section C, The CPD Rules).

In the first three years of practice, newly qualified practitioners are required to complete 45 hours of continuing professional development (CPD), including at least 9 hours of advocacy training and 3 hours of ethics training (the 'New Practitioners' Programme'). All hours must be accredited by the Bar Standards Board.

Following completion of the 'NPP', barristers are required to undertake a minimum of 12 hours of CPD each calendar year (the 'Established Practitioners' Programme'). A minimum 4 of the required 12 hours must be activities which have been accredited by the Bar Standards Board; accreditation awarded by other professional bodies or institutions will not be accepted as accredited CPD by the Bar Standards Board. The Bar's CPD regime is run on a calendar year basis.

CPD definition

CPD is work undertaken over and above the normal commitments of barristers with a view to such work developing their skills, knowledge and professional standards in areas relevant to their present or proposed area of practice, and in order to keep themselves up to date and maintain the highest standards of professional practice.

How to calculate CPD hours

- CPD hours, either accredited or unaccredited, are the hours spent in either seminars or lectures, added up and rounded down to the nearest half an hour. ***CPD courses, seminars, lectures or any other form of training event are treated as separate events. The hours for each event are rounded down to the nearest half an hour individually; practitioners are unable to add all courses together with a view to rounding the total down.***
- Registration and/or refreshment breaks and lunchtime must not be included in this calculation.

Accredited hours

Accredited hours can be accrued by undertaking attendance-based or online courses, conferences, lectures or seminars which are delivered by CPD Providers that have been accredited by the Bar Standards Board.

Attendance at accredited CPD courses

- It is a barrister's responsibility to check if a CPD Provider has been accredited by the Bar Standards Board. Where there is doubt, a barrister is able to check with the Bar Standards Board's CPD Accreditation department. The Bar Standards Board accredits CPD Providers; individual CPD Providers self-accredit CPD courses/activities for barristers in line with the 'CPD Accreditation Policy & Guidance'.
- Barristers must sign the registration document supplied by the provider at the end of the course to claim CPD hours.
- When undertaking an attendance-based or online accredited CPD course/activity, barristers are required to state the CPD Provider ID Number (a 3 or 4 digit number unique to each accredited CPD Provider) on their CPD record card. This will enable seamless identification of accreditation.

Undertaking university courses

- To claim hours for undertaking a university course, including LLMs, the barrister must obtain from the university a letter confirming (i) the nature and content of the course, (ii) the number of hours that the barrister has undertaken as part of the course, and (iii) that the barrister has complied with all the course requirements to date.
- If it is not a law course, it must be a course directly relevant to the barrister's present or proposed area of practice.

Training events

- Barristers may claim CPD hours for preparing and delivering a training event. Barristers may apply for one-off CPD accreditation – refer to page 8.
- A person is unable to claim for preparing a training event if they do not present it.
- A person who presented a training event, but did not produce the training material/speaker notes themselves, is eligible to claim hours for their own preparation.

Calculation of CPD hours

The rules for calculating CPD for presenting and preparing for a training event are, as follows:

- Barristers may claim CPD hours for preparing and delivering a training event, which may be accredited or unaccredited. Barristers may apply for one-off CPD accreditation – refer to page 8. Time spent attending the remaining part of a training event given by a co-presenter may be claimed in the normal way.

- The basic principle is that the number of CPD hours that may be claimed is the sum of (a) the duration of the presentation actually given by the barrister, and (b) an equal time that is deemed for the preparation of that event.
- It is acknowledged that the deemed preparation time is likely to undervalue the actual time taken. To mitigate this adverse consequence somewhat, the number of CPD hours that may be claimed should be the sum of the presentation and deemed preparation timings, and then rounded down to the nearest ½ hour unit, save that the minimum total shall not be less than ½ hour.
- A barrister cannot claim for repeat delivery of a training event in any one CPD year.
- A barrister who prepares a training event for another may claim only the deemed preparation time in the CPD year in which the training event was actually given. If the event was never given, then no preparation time may be claimed.
- A barrister who presents a training event prepared by another may still claim both the presentation and the deemed preparation timings.

Examples:

- (a) 1 barrister gives a 1 hour training event. 2 CPD hours may be claimed: 1 for the presentation, and 1 for the deemed preparation.
- (b) 2 barristers equally give a 1 hour training event. Each may claim 1½ CPD hours: ½ hour for the presentation and ½ hour for the deemed preparation and ½ hour for attending the other barrister's presentation.
- (c) 3 barristers equally give a 1½ hour training event. Each may claim 2 CPD hours: ½ hour for the presentation and ½ hour for the deemed preparation and 1 hour for attending the other barristers' presentations.
- (d) 4 barristers equally give a 1½ hour training event. Each may claim 1½ CPD hours: 22½ minutes for the presentation and 22½ minutes for the deemed preparation (which after addition to give 45 minutes is then rounded down to give ½ hour) and 67½ minutes for attending the other barristers' presentations (which is then rounded down to 1 hour).
- (e) 4 barristers equally give a 4 hours training event. Each may claim 5 CPD hours: 1 hour for the presentation and 1 hour for the deemed preparation and 3 hours for attending the other barristers' presentations.
- (f) 4 barristers equally give a 1 hour training event. Each may claim 1 CPD hour: 15 minutes for the presentation and 15 minutes for the deemed preparation (which after addition to give 30 minutes results in ½ hour) and 45 minutes for attending the other barristers' presentations (which is then rounded down to ½ hour).

(g) 6 barristers equally give a 1 hour training event. Each may claim 1 CPD hour: 10 minutes for the presentation and 10 minutes for the deemed preparation (which after addition to give 20 minutes is then deemed by the saving provision still to merit ½ hour) and 50 minutes for attending the other barristers' presentations (which is then rounded down to ½ hour).

Repeat courses or training events

- Unless they have good reasons for doing so, barristers cannot claim hours for attending or undertaking a course or training event with the same or substantially the same content as another course or training event in respect of which CPD hours are claimed in the same calendar year or have been claimed in the previous calendar year.

Online courses/Podcasts

- There are a number of online course/podcast providers, a list of which is available from the CPD Office.
- An online test must be completed before the provider allocates CPD hours.
- To claim these hours you must attach the completed certification form produced at the end of the course to your record card.

DVDs, Videos and CD Roms

- DVDs and CD Roms etc must be obtained from a Bar Standards Board approved producer of legal programmes or an accredited CPD provider who record their events.
- Please add details of the above to your CPD Record card. You must include the number of CPD hours (length), the title and the provider.

Other accredited activities

- Pupil supervisor training up to 3 CPD hours
- Practitioners can claim 1 CPD hour per active month of service as a Judicial Assistant *

NB: * Active month of service is considered to be anything that exceeds ½ a month in the event that less than 1 month is completed.

Unaccredited

Unaccredited hours can be obtained by attending any course, lecture, conference or seminar with a CPD Provider which has not been accredited by the Bar Standards

Board. Unaccredited courses/activities must be directly relevant to the barrister's area of practice or intended area of practice. Unaccredited hours are designed to give increased flexibility to the CPD that a barrister can undertake and need only be added to a person's record card for the claim to be made.

NB: Those subject to the New Practitioners Programme cannot claim CPD hours for attendance at unaccredited events, or completion of unaccredited activities, but may be able to apply for one-off accreditation. Please refer to the 'One-off accreditation' section of this document for more information.

Those subject to the Established Practitioners Programme are able to claim a maximum of 8 unaccredited CPD hours in one calendar year.

Presenting an unaccredited lecture

- The rules are the same as for accredited lectures; with the distinction that the hours claimed will be unaccredited.

Teaching on university courses

- A Barrister is able to claim CPD hours for teaching on LLBs, LLMs, the CPE, BPTC, LPC or Diplomas in Law.
- Barristers are able to claim hours for teaching law on degree courses, which are not wholly about law if it is relevant to their practice and provided that the level is at least equivalent to an undergraduate law degree.
- To receive accredited hours for this work a barrister must obtain from the university a letter confirming the number of hours that they teach. The letter must be kept together with the completed CPD record card.

Advocacy training, mock trials and moots

- In relation to advocacy training (including at mock trials), delegates can claim the following: (a) the time spent attending advocacy training, and (b) additional preparation time as follows: up to a third of the length of the course.
- Advocacy Trainers can claim the following: (a) the time they spend providing the advocacy training, and (b) in relation to preparation, up to a third of the time they spend providing the advocacy training (e.g. up to an hour for a 3 hour exercise).
- Those acting as judges or witnesses in relation to advocacy training can claim the following: (a) the time they spend acting as judges or witnesses, and (b) in relation to preparation, up to a quarter of the time they spend acting as judges or witnesses (e.g. up to an hour for a 4 hour exercise).
- Preparation of advocacy training cannot be claimed if a person does not deliver the training.
- Moots can count for up to a maximum of 2 CPD hours a year.
- School moots, mock trials or tribunals do not count.

Writing

- Legal writing or editing can count for a maximum of 4 unaccredited CPD hours per calendar year.
- Writing or editing the following can count for these hours: law books, law articles, practice notes for publication, consultation papers, examination question papers, law update papers, legal dissertations and legal reports.
- A person is able to claim the hours it takes to write the article/book etc. up to this maximum.
- The hours must be claimed in the year of publication.
- Papers for moots can only count for 2 hours.
- Reviewing legal books does not attract CPD hours.

NB: Those subject to the New Practitioners Programme cannot claim CPD hours for the writing of legal articles.

Other activities

- Attending unaccredited courses directly relevant to practice as a barrister.
- This can include lectures and seminars given by Solicitors' firms and organisations not accredited by the Bar Standards Board to provide CPD hours.

One-off accreditation

- If a barrister wishes to attend an event offered by an organisation which is not an accredited CPD Provider for the Bar, they can apply for one-off accreditation.
- To do so they must send details of the event including the specific date(s) on which the event will take place, any itinerary or programme, subject matters to be covered, specific title of events, name(s) of speaker(s) and the contact details of the event organiser(s).
- This should be sent to Elizabeth Prats at the Bar Standards Board, Education & Training Department at least two weeks in advance of the event taking place.
- There is an application fee of £45 per event for consideration. Organisations which are not accredited by the Bar Standards Board are limited to 1 application for one-off accreditation per annum. There is no restriction on the number of applications a practitioner can submit to the Bar Standards Board. Payment can be satisfied by cheque, bank transfer (BACS) or debit/credit card. Cheques should be made payable to 'The Bar Standards Board'. There is a 2.5% handling fee for all card payments.

Other rules

- Barristers working part time, if they hold a practising certificate, are subject to the same rules as those working on a full time basis.
- Barristers practising abroad, if they hold a practising certificate, are subject to the same rules as those practising in England and Wales.
- Practitioners subject to the Established Practitioners Programme are not able to carry CPD hours over from one year to the next.

Cannot count for CPD hours

Personal Development

- Personal stress management
- Personal/time management courses
- Personal presentation skills
- Voice coaching
- Mentoring or appraisal schemes
- Listening to radio programmes
- Subscription to periodicals
- Reading
- Networking skills
- Marketing skills
- Life coaching skills
- Career development courses
- Leadership/general management skills

Other

- Practice management courses
- Acting as an External Examiner
- Shadowing a Judge
- Pro-bono work
- Work at a Citizen's Advice Bureau
- Bar in the community scheme
- Working as a member of a review panel
- Acting as a Pupil Master (mini-pupillages included)
- Sitting as a Recorder
- Sitting as a Justice of the Peace
- Marking work for University courses, including the BPTC
- Sitting on a Tribunal or other part time Judicial office
- The 'Speakers for Schools' programme
- Annual General Meetings
- Careers Talks
- Attendance at a launch for any form of legal materials
- Teaching on BTECs or ILEX level 1-3 courses
- After-dinner speeches, tours, receptions and court visits

What to do if you work for a solicitor's firm

- Please obtain from your employer a copy of your electronic CPD record card (most solicitors firms keep these) and attach this to your CPD record card for record keeping.

- If your firm does not keep such a record for you, you must complete the standard form.

What to do if you are not going to practise for the whole year

- If you are going on maternity/paternity leave, taking a career break or having a break in practice for any other reason which will prevent you from completing your CPD requirements then you might wish to consider suspending your practising certificate, which would, in turn, suspend your CPD requirements. If you do not suspend your practising certificate then you must apply for a waiver from the CPD requirements. The application form can be obtained from the Qualifications department.
- If you have not completed your CPD requirements by the deadline stipulated by the Bar Standards Board or you are aware that you will not complete your hours in the required time, you must apply for an extension of time. The application form can be obtained from the Qualifications department.
- It may be of benefit to download and read the Bar Standards Board's guidance on CPD requirements when taking parental leave.
- Extension/waiver forms can also be downloaded from the Bar Standards Board website.

Frequently asked questions

(Q) I've found a course I would like to attend? How can I find out if it has been accredited?

(A) Contact the Bar Standards Board's CPD Accreditation department if you are unsure if the CPD Provider is accredited by the Bar Standard's Board. However, the Bar Standards Board cannot confirm whether a specific course/activity has been accredited; please contact the CPD Provider directly for queries relating to accreditation of a course.

(Q) Where can I find details of accredited courses?

(A) A number of courses are listed on our website:

<http://www.barstandardsboard.org.uk/regulatory-requirements/for-barristers/continuing-professional-development/cpd-courses/>

Please note; this list is not comprehensive, as some approved providers do not advertise online.

(Q) I've lost my Record Card? How do I get another one?

(A) <http://www.barstandardsboard.org.uk/regulatory-requirements/for-barristers/continuing-professional-development/>

(Q) Do I need to return a signed, completed CPD record card to the Bar Standards Board?

(A) No. As of January 2014, practising barristers are not required to return a signed CPD record card to the Bar Standards Board. Instead, barristers are required to retain a comprehensive CPD record, including any documents which verify completion of training, for 6 years, should they be selected for monitoring as part of the BSB's wider supervision strategy. This policy change relates to barristers' 2013 CPD requirement and all future CPD requirements.

CPD Departments at the Bar Standards Board/Contacts

Department	Name	Job Title
Supervision of CPD	Bernard McGregor	Supervision Officer (CPD)
CPD Accreditation	Elizabeth Prats	Continuing Education Officer
Qualifications	Pauline Smith	Training Regulations Officer
Qualifications	Raxa Tailor	Administration Assistant