

Continuing competence: meeting your requirements

Richard Williams, Policy Manager, SRA

Your regulatory obligations

- Solicitors must:
 - maintain their competence to carry out their role and keep their professional knowledge and skills up to date
 - make sure individuals they are supervising are competent
- Firms must
 - make sure solicitors they employ keep their knowledge and skills up to date
 - have an effective system for supervising clients' matters

Continuing competence challenges

- A lack of awareness of the requirement to maintain competence
- Not understanding how to reflect or incorporating reflection into learning and development
- Lack of awareness and application of relevant SRA principles, rules of professional conduct and any guidance or warning notices we have issued

Continuing competence challenges

- Failure to provide evidence of learning and development activity or reflection
- Focus on maintaining technical legal practice rather than other areas of the Statement of Solicitor Competence

How can COLPs help

- Support reflection and encourage solicitors to record this
- Make sure that learning and development is carried out where appropriate and it is recorded
- Encourage solicitors to consider wider learning and development beyond technical knowledge

How can COLPs help

- Make sure solicitors are aware of relevant SRA guidance and warning notices
- Make sure you have effective supervision arrangements in place

2024 competence assessment - actions

- Thematic inspections and training record reviews of a sample of family law and landlord and tenant firms
- Enhance our continuing competence resources
- Continue to engage with firms where we receive a competence-related report that did not meet our threshold for enforcement

2024 competence assessment - actions

- Continue to take enforcement action if a solicitor is not meeting their competence requirements
- Continue to monitor continuing competence declarations made when solicitors renew their practising certificate

Next steps

- Review our approach to explore how we can:
 - how we can secure better engagement with our materials and better reflection
 - how we can secure full compliance with the current requirements
 - whether we should take a stronger, more prescriptive approach to continuing competence
- Consult on proposed regulatory changes in 2025