**APPLICATION TO COMPLETE A NON-PEAT 1 TRAINEESHIP**

**Please ensure you read the non-PEAT 1 traineeship information and guidance on the Law Society’s website, before completing this application form. That information and guidance explains:**

* **What the non-PEAT 1 traineeship involves.**
* **Why you have to apply for permission to do a non-PEAT 1 traineeship.**
* **What information needs to be provided with this application.**
* **What a non-PEAT 1 training plan (required by sections B and C of this application form) needs to show.**

**SECTION A: Information relating to the trainee**

**Section A of this form should be completed by the prospective non-PEAT 1 trainee.**

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| **Trainee name** |
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| **Name of Training Organisation** |
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| **Firm Training Manager** |
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| **Please explain why you are applying for an exemption from the requirement to complete the Diploma in Professional Legal Practice** |
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**SECTION B: The non-PEAT 1 Training Pan**

**Sections B and C of this form should be completed by the relevant training organisation and submitted by the organisation’s Training Manager.**

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| **How do you intend to structure the traineeship and how long will you devote to each PEAT 1 outcome heading?**  |
| Please only provide overview information in relation to when you would expect the trainee to gain exposure to work related to the main PEAT 1 outcome headings noted below, and how long they might spend working or training in that area. You will be asked for more detailed information on the sorts of activities that you will ask your trainee to complete in section C, below.* Business Awareness
* Financial Awareness
* Practice Awareness
* Private Client
* Conveyancing
* Civil Litigation
* Criminal Litigation
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| **Who will train, supervise and support the trainee during their traineeship?**  |
| Please provide details of all solicitors who will be involved in the training, supervision and support of the trainee, giving an overview of their experience. |
| **How will the trainee be supervised and supported?** |
| Non-PEAT 1 trainees will be expected to conduct quarterly reviews in the same way that standard, two-year trainees do. However, please state whether you expect any additional support or feedback on progress to be provided, including, if relevant, why, when and how you intend for this to happen (e.g. in relation to specific outcomes). |

**SECTION C: Information on how you will ensure your trainee meets the PEAT 1 Outcomes**

This section asks you to provide information on how you will satisfy yourself that your trainee has meet the PEAT 1 outcomes.

At the end of the non-PEAT 1 traineeship, you will be asked to sign your trainee off and, in doing so, you will have to be content that your non-PEAT 1 trainee has met both the PEAT 1 and PEAT 2 outcomes. As the PEAT 1 outcomes do not form part of the standard, two-year traineeship, it is important that you set a clear plan for how you will satisfy yourself that your trainee will meet these.

The following tables first set out the relevant outcomes for:

* Business Awareness
* Financial Awareness
* Practice Awareness
* Private Client
* Conveyancing
* Civil Litigation
* Criminal Litigation

You are then asked to provide information on what activities you will ask your non-PEAT 1 trainee to complete, in order to evidence that hey are competent in these areas.

Although the outcomes are numbered, you do not necessarily need to provide an activity for each individual outcome. It may be, for example, that the completion of certain casework or the handling of certain client files will allow your trainee to evidence their competence across a number of outcomes. However, an attempt should be made to link a stated activity or activities to the relevant outcome or outcomes.

An activity does not need to be restricted to on-the-job training alone and could, for example, include:

* Attending a course, seminar, lecture or conference (including in-house training)
* Designing or writing a training session or presentation
* Using e-learning or another form of online learning
* Studying for an academic, legal or professional qualification
* Role play activities or participation in organised discussions
* Structured one-to-one coaching/mentoring

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| **Business Awareness Outcomes** |
| 1. Can evidence an understanding of business ethics to market economies
2. Demonstrate knowledge of the regulatory and fiscal framework, and the main features of the taxation system, within which business is conducted.
3. Demonstrates an awareness of legal personality and business structures
4. Can explain the key features of incorporated and unincorporated entities, their structure and purpose (including relevant tax features of structures).
5. Demonstrates an understanding of the commercial environment of legal practice, including the market for legal services and the business models legal businesses use.
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| **Activities which contribute to the achievement of the outcome:** |
| What kind of work or learning will you expect your trainee to undertake to assist them in achieving these outcomes? Please ensure that you identify, by number, all relevant outcomes, when noting learning activities. |
| **How will you satisfy yourself that the trainee is achieving the outcome(s)?** |
| How do you intend to assess your trainee in relation to these outcomes, in order to satisfy yourself that they have achieved them? Note: this does not need to be an examination style assessment but could, for example, be handling all or certain aspects of a client file/transaction to your satisfaction, with a supervising solicitor overseeing, reviewing and approving their work. |

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| **Financial Awareness Outcomes** |
| 1. Can evidence an understanding of loan finance
2. Analyse and understand a set of company accounts
3. Demonstrate an ability to compare sets of accounts by using ratios.
4. Explain the principles of tax as it applies to businesses (including relevant aspects of corporation tax, VAT, PAYE, NIC, LBTT, capital gains tax and inheritance tax).
5. Understand the purpose of the main areas of financial advice for companies and individuals and can advise accordingly.
6. Understand the process of giving financial advice to companies and individuals, including the tax elements of this.
7. Explain and discuss the various forms of financial services available for clients, with particular reference to investment, mortgages, insurance and pensions, and the regulation of the provision of financial services, including investment protection, complaints procedures and compensation, including the tax elements of this.
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| **Activities which contribute to the achievement of the outcome:** |
| What kind of work or learning will you expect your trainee to undertake to assist them in achieving these outcomes? Please ensure that you identify, by number, all relevant outcomes, when noting learning activities. |
| **How will you satisfy yourself that the trainee is achieving the outcome(s)?** |
| How do you intend to assess your trainee in relation to these outcomes, in order to satisfy yourself that they have achieved them? Note: this does not need to be an examination style assessment but could, for example, be handling all or certain aspects of a client file/transaction to your satisfaction, with a supervising solicitor overseeing, reviewing and approving their work. |

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| **Practice Awareness Outcomes** |
| 1. Demonstrates an understanding of the key features of partnerships and limited liability partnerships as business structures, and alternative business structures (including relevant tax features of structures).
2. Demonstrates an understanding of key provisions of partnership agreements.
3. Demonstrate ability to manage personal workload and to manage effectively a number of concurrent client matters.
4. Demonstrates an awareness of issues of equality, diversity and inclusion that may arise within the practice environment with references to the protected characteristics.
5. Can manage time and risk capably in legal transactions/matters
6. Comply with all quality standards, risk management, and other policies and processes in place at the course provider; use business systems and resources appropriately.
7. Demonstrates an understanding of how technology is changing the legal profession
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| **Activities which contribute to the achievement of the outcome:** |
| What kind of work or learning will you expect your trainee to undertake to assist them in achieving these outcomes? Please ensure that you identify, by number, all relevant outcomes, when noting learning activities. |
| **How will you satisfy yourself that the trainee is achieving the outcome(s)?** |
| How do you intend to assess your trainee in relation to these outcomes, in order to satisfy yourself that they have achieved them? Note: this does not need to be an examination style assessment but could, for example, be handling all or certain aspects of a client file/transaction to your satisfaction, with a supervising solicitor overseeing, reviewing and approving their work. |

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| **Private Client Outcomes** |
| 1. Understand the Law of Testate Succession and be able to explain the tax implications.
2. Draft testamentary documents and understand the tax implications of such documents.
3. Demonstrates an understanding of the Law of Intestate Succession and be able to explain the implications.
4. Draft Intestate documents.
5. Administer an executry
6. Understand the law on Trusts, their uses and applications, and be able to explain their implications, including tax implications.
7. Demonstrates an understanding of the law on incapacity
8. Demonstrates an understanding of the principles and practice of tax planning as it relates to Private Client in relation to the preparation of wills and deed of variation.
9. Has a developing awareness of importance of technology in relation to private client including online filing, online personal tax accounts and the process of making tax digital.
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| **Activities which contribute to the achievement of the outcome:** |
| What kind of work or learning will you expect your trainee to undertake to assist them in achieving these outcomes? Please ensure that you identify, by number, all relevant outcomes, when noting learning activities. |
| **How will you satisfy yourself that the trainee is achieving the outcome(s)?** |
| How do you intend to assess your trainee in relation to these outcomes, in order to satisfy yourself that they have achieved them? Note: this does not need to be an examination style assessment but could, for example, be handling all or certain aspects of a client file/transaction to your satisfaction, with a supervising solicitor overseeing, reviewing and approving their work. |

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| **Conveyancing Outcomes** |
| 1. Demonstrates an understanding of the process of a conveyancing transaction.
2. Demonstrate an understanding of the law and practice in relation to missives and to be able to draft missive letters and conclude the contract.
3. Examine and report on title in relation to both first registration transactions and dealings thereafter.
4. Draft appropriate documents, including a knowledge of LBTT, capital gains tax and inheritance tax.
5. Demonstrates an understanding of the implications of family law legislation on conveyancing transactions and to be able to draft and revise relevant documentation.
6. Demonstrates an understanding of what searches are required in the Property and Personal Registers, complete the appropriate forms and to use ScotLIS.
7. Understand and apply the law on execution of deeds.
8. Can explain the implications of a secured lender being involved in a conveyancing transaction.
9. Understand what is required before a transaction can settle and to be able to manage post settlement issues, including the retention of funds, registration dues and fees.
10. Demonstrates an understanding of the law and practice in relation to residential leases, including the relevant statutory forms.
11. Demonstrates an understanding of the law and practice in relation to commercial leases, including relevant documentation such as rent review agreements and licences for works.
12. Demonstrates an understanding the digital services of Registers of Scotland and can provide examples of technology developments affecting the conveyancing process.
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| **Activities which contribute to the achievement of the outcome:** |
| What kind of work or learning will you expect your trainee to undertake to assist them in achieving these outcomes? Please ensure that you identify, by number, all relevant outcomes, when noting learning activities. |
| **How will you satisfy yourself that the trainee is achieving the outcome(s)?** |
| How do you intend to assess your trainee in relation to these outcomes, in order to satisfy yourself that they have achieved them? Note: this does not need to be an examination style assessment but could, for example, be handling all or certain aspects of a client file/transaction to your satisfaction, with a supervising solicitor overseeing, reviewing and approving their work. |

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| **Civil Litigation – Court of Session and Sheriff Court** **Outcomes** |
| 1. Demonstrate knowledge and understanding of the institutions, structure and personnel of the Scottish civil justice system; the technology used in the civil justice system; the hierarchy of the courts; the principal grounds of jurisdiction; the competence of the respective courts; and the rights of appeal applying to different actions and forms of procedure.
2. Demonstrate knowledge and understanding of the different ways in which litigation can be funded; the relationship between judicial and extra judicial expenses; and the basic principles governing the liability for judicial expenses.
3. Demonstrate knowledge and understanding of the hearings in the sheriff court that would lead to the determination of an action – debates, proofs, proofs before answer - and the procedure at such hearings.
4. Demonstrate knowledge and critical understanding of the basic principles and conventions of written pleadings applicable to all forms of procedure competent in the sheriff court including the concepts of relevancy and specification of written pleadings.
5. Demonstrate an awareness of the different forms of procedure competent in the Court of Session including the differences between ordinary actions and Petitions.
6. Demonstrate knowledge and understanding of the common forms of incidental procedures found in civil court actions, and the circumstances in which they would be appropriate.
7. Demonstrates a knowledge and understanding of the hearings in the sheriff court that would lead to the determination of an action – debates, proofs, proofs before answer – and the procedure at such hearings.
8. Demonstrate knowledge and understanding go the ways in which evidence can be presented or agreed in civil actions or
9. Demonstrate an awareness of how court actions might be settled extra judicially and the issues which might arise in these circumstances.
10. Demonstrate an awareness of the commercial implications of the management of litigation by parties and the impact of the development of judicial case management.
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| **Activities which contribute to the achievement of the outcome:** |
| What kind of work or learning will you expect your trainee to undertake to assist them in achieving these outcomes? Please ensure that you identify, by number, all relevant outcomes, when noting learning activities. |
| **How will you satisfy yourself that the trainee is achieving the outcome(s)?** |
| How do you intend to assess your trainee in relation to these outcomes, in order to satisfy yourself that they have achieved them? Note: this does not need to be an examination style assessment but could, for example, be handling all or certain aspects of a client file/transaction to your satisfaction, with a supervising solicitor overseeing, reviewing and approving their work. |

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| **Criminal – High Court and Sheriff Court Outcomes** |
| 1. Demonstrate knowledge and understanding of the operation of the Criminal Legal Aid scheme – both as to advice and as to representation.
2. Demonstrate knowledge and understanding of the procedural sequence of events in summary and solemn procedure in the Sheriff Court and in the High Court.
3. Demonstrate the ability to conduct incidental motions and intermediate diet in a summary complaint.
4. Demonstrate the knowledge and understanding as to how a straightforward summary trial is conducted.
5. Demonstrate the ability to make a plea in mitigation in a straightforward summary complaint.
6. Demonstrate knowledge and understanding of the appeal procedures which are open to an accused person following conviction and sentence.
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| **Activities which contribute to the achievement of the outcome:** |
| What kind of work or learning will you expect your trainee to undertake to assist them in achieving these outcomes? Please ensure that you identify, by number, all relevant outcomes, when noting learning activities. |
| **How will you satisfy yourself that the trainee is achieving the outcome(s)?** |
| How do you intend to assess your trainee in relation to these outcomes, in order to satisfy yourself that they have achieved them? Note: this does not need to be an examination style assessment but could, for example, be handling all or certain aspects of a client file/transaction to your satisfaction, with a supervising solicitor overseeing, reviewing and approving their work. |