

PEAT 2 Training Plan

A practical guide to meeting the PEAT 2
Outcomes

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1. Introduction

This document is designed to assist both training managers and trainees. It focusses on providing examples of specific activities which would assist a trainee to achieve the PEAT 2 outcomes, and therefore complete the traineeship.

Additional information about the traineeship and its various regulatory requirements is available on the Society's website, in relation to the following:

- a) [PEAT 2 Outcomes](#) – a full list of all the outcomes and, in particular, the positive indicators for each outcome can be found on this webpage
- b) [PEAT 2 Quarterly Performance Reviews](#)
- c) [Required CPD for trainees](#)
- d) [Admission as a Solicitor](#)
- e) [Fitness and Propriety requirements](#)
- f) [Discharging a traineeship](#)
- g) [Available trainee support](#)

2. The PEAT 2 Outcomes

This guidance supports training managers and trainee supervisors in creating opportunities for trainees to achieve the PEAT 2 Outcomes. Under each outcome, we suggest activities and CPD that can help meet the requirements. Most outcomes can be achieved through routine work and general training.

A separate PEAT 2 Outcomes document provides details of the positive indicators for each of the outcomes.

2.1 Professionalism

Professionalism lies at the heart of PEAT. Practising law should not only be about legal knowledge and skills but also about values, attitudes, behaviours and conduct. These may be capable of being described but they are difficult to acquire out of context or in the classroom. Trainees should observe the behaviour of their supervisors, partners and other professional staff.

Activities which might assist the achievement of this outcome:

- Updating and improving their knowledge of the law
- Discussing law and legal knowledge with experienced practitioners
- Observing experienced practitioners or work-shadowing
- Working on larger cases or transactions as part of a team
- Running smaller transactions under close supervision
- Reading and understanding the Society's Standards of both conduct and service for solicitors
- Reading journals, legal magazines



A key element of this outcome is 'Updates and expands knowledge of the law and legal practice in areas of expertise without prompting'. Training managers should bear this in mind throughout the traineeship.

Examples of required CPD which might support the achievement of this outcome:

- Workshops offered by regulatory bodies
- Any activity which focuses on updating and expanding knowledge of the law, legal practice and legal procedure
- Client Care Workshops
- Equality and Diversity training
- Time management training

2.2 Professional Communication

Successful solicitors not only have excellent legal knowledge but also highly developed legal and communication skills which include advocacy, interviewing, team-working, negotiation and providing legal advice.

2.2.1 Professional Relationships and Team Working

Activities which might assist the achievement of this outcome:

- Induction
- Peer Review
- PEAT 2 Quarterly Performance Reviews and other feedback
- Group work
- Work shadowing
- Observation of superiors
- Logging information in the 'PEAT 2 Record' area of the Law Society of Scotland website
- Reading journals, magazines and other legal texts

Examples of required CPD which might support the achievement of this outcome:

- Time management training
- Equality and diversity training
- Any required CPD which uses team-work or role-play activities

2.2.2 Communication with Clients

Trainees should understand the need to develop their communication skills so that they can present both verbally and in writing in a way that achieves its purpose and is appropriate in terms of tone and content.

Trainees should be trained to communicate clearly and effectively with clients. Information should be comprehensive and, where necessary, confirmed in writing using clear and simple language. This is linked to the client care obligations incumbent upon all solicitors.

Activities which might assist the achievement of this outcome:

- Drafting letters, notes and memos
- Reporting to clients, colleagues and others
- Note taking and minute taking in meetings
- Dictating notes and letters
- Planning work

Examples of required CPD which might support the achievement of this outcome:

- Client Care Workshops
- Communication skills courses
- Presentation skills courses
- Work and Case management workshops

2.2.3 Provide Legal Advice to Clients

The knowledge necessary to provide legal advice to clients will differ from trainee to trainee and within each training unit whether the traineeship is carried out in house or in a firm.

Activities which might assist the achievement of this outcome:

- Updating and improving their knowledge of the law, legal practice and legal procedure
- Discussing law and legal knowledge with experienced practitioners
- Observing experienced practitioners or work-shadowing
- Working on larger cases or transactions as part of a team
- Running straightforward transactions under close supervision

Examples of required CPD which might support the achievement of this outcome:

- Any required CPD which focuses on updating and improving knowledge of the relevant law
- Practice Area Specific Training Event
- Client Care Workshops
- Problem-Solving Workshops
- Role-play activities

2.2.4 Legal Research

Trainees should learn to find solutions by investigating the factual and legal issues, analysing problems and communicating the results of their research.

Activities which might assist the achievement of this outcome:

- Updating and improving their knowledge of the law
- Discussing law and legal knowledge with experienced practitioners
- Researching specific legal issues and factual, historical or commercial matters
- Any work that makes use of traditional and computerised research tools and sources, business information and other relevant sources

Examples of required CPD activities which might support the achievement of this outcome:

- WestLaw or LexisNexis Training event
- Library or research skills updates

2.2.5 Interviewing

Trainees should understand the importance of identifying client's goals along with the need to take clear instructions. The purpose of an interview should be explained to the trainee and their performance during the interview should be reviewed afterwards.

Activities which might assist the achievement of this outcome:

- Observing interviews by training solicitors
- Taking notes of meetings and interviews (both face-to-face and over the phone)
- Preparing a checklist of issues that need to be dealt with prior to the interview taking place (and recognising what action needs to be taken subsequent to the interview)
- Where relevant to the area of practice, attending police station interviews.
- Conducting interviews with clients, experts, witnesses and others (with supervision)
- Updating and improving their knowledge of the law (This should be continuous throughout PEAT 2 in all seats)
- Discussing law and legal knowledge (including interview techniques) with experienced practitioners

Examples of required CPD which might support the achievement of this outcome:

- Interviewing skills workshop (including mock interviews)

2.2.6 Negotiation

Trainees should have exposure to the processes involved in negotiations relating to both contentious and non-contentious work. They should understand the importance to the client of reaching agreement or resolving a dispute.

Trainees could be given opportunities to observe negotiations conducted by experienced practitioners or conduct negotiations under close supervision. They should be thoroughly debriefed after conducting a negotiation.

Where relevant to their area of practice, trainees may become familiar with contentious work and should gain a thorough knowledge of the skills and practices of resolving disputes (including alternative dispute resolution) in a way that is fair, cost-effective and timeous for their clients.

Training managers and supervisors should explain how the work that the trainee undertakes fits into the strategies pursued in a case and into the context of litigation as a whole.



Activities which might assist the achievement of this outcome:

- Attending tribunal hearings or meetings dealing with other forms of dispute resolution
- Observing proceedings
- Assisting solicitors with the preparation of cases
- Observing negotiations conducted by experienced practitioners
- Conducting negotiations with close supervision
- Discussing law and legal knowledge (including negotiation techniques) with experienced practitioners

Examples of required CPD which might support the achievement of this outcome:

- Negotiation skills training (including mock negotiations)
- Mediation skills training
- Workshops on different forms of dispute resolution

2.2.7 Writing and Drafting

Trainees should recognise the importance of, and be able to produce, documents that are clear, precise and achieve their purpose.

The complexity of trainees' work should be increased incrementally, and they should be given opportunities to amend drafts of documents and to practice using standard forms and precedents.

It is important that amendments made by training solicitors are thoroughly explained to the trainee.

Activities which might assist the achievement of this outcome:

Writing and drafting all types of legal document:

- Letters, notes and memos
- Witness statements and affidavits
- Corporate resolutions
- Wills and trust deeds
- Statements of case
- Transfer or property documents
- Leases
- Instructions to counsel
- Contracts
- Pleadings
- Helping to prepare cases before trial

Examples of required CPD for trainees activities which might support the achievement of this outcome:

- Drafting Skills workshop
- Instructing advocates session

- Instructing expert witnesses

2.2.8 Use of Technology

Trainees should understand the importance of working effectively. They must develop the skills required to manage time and resources effectively and understand how technology can assist their work.

Activities which might assist the achievement of this outcome:

- Use of planning tools to schedule work
- Using email, word-processing, scheduling and organisational systems appropriately
- Use of a file management system including opening and closing files
- Working with support staff
- Taking part in meetings via telephone or video conference

Examples of required CPD which might support the achievement of this Outcome:

- Any CPD focused on IT training

2.2.9 Advocacy

The Society understands that not all trainees will appear in court during their traineeship. With this in mind advocacy should only be considered where relevant to a trainee's area of practice.

If a trainee is being admitted between months three and 12 of their traineeship, they must complete a compulsory advocacy course. This cannot count towards the required CPD that they must complete during their traineeship. Additional information about admission is available on our website.

Activities which might assist the achievement of this outcome:

- attending court with a solicitor(s) to observe cases, bail applications, pleas in mitigation; and observing examination, cross-examination and re-examination in court
- observing proceedings in family cases, industrial tribunals, planning tribunals, mental health tribunals or other tribunals or other forms of dispute resolution
- Sitting with, and observing, Counsel in any court including the High Court and the Court of Session
- In first year of PEAT 2, appearing as an 'authorised lay representative in a Small Claim or Summary Cause'
- Appearing in court (once admitted and in possession of a restricted practising certificate)

Examples of required CPD which might support the achievement of this outcome:

- Advocacy workshops
- Public speaking skills workshop
- Cross-Examination skills workshop

- Moots and other Mock Court activities

2.2.10 Presentation

It may also be useful to consider the Advocacy and Communications with Clients outcomes when assessing achievement of this outcome.

Activities which might assist the achievement of this outcome:

- Becoming involved in presentations for clients or in preparing or delivering in-house training
- Observing experienced practitioners
- Conducting interviews and negotiations
- Representing clients in court or tribunals

Examples of required CPD which might support the achievement of this outcome:

- Public speaking skills training (including opportunities to speak in public)
- Client Care Workshops
- Moots
- Presentation skills training

2.3 Professional Ethics and Standards

Trainees should not attempt to resolve ethical issues, they should refer any ethical issue to their training manager or supervisor. It is crucial that trainees can identify the ethical issue in the first place and know the correct course of action for different ethical issues.

2.3.1 Regulatory Framework and Professional Standards

Activities which might assist the achievement of this outcome:

- Discussing ethical and regulatory issues with experienced practitioners
- Reading and understanding the Standards of both conduct and service for solicitors

Examples of required CPD which might support the achievement of this outcome:

The only mandatory required CPD for all trainees is to undertake a minimum of four hours of Ethics from an Authorised Provider. This course will not cover all of the Professional Ethics and Standards Outcomes, it focuses on confidentiality, conflict of interest and anti-money laundering and the Proceeds of Crime Act

Other required CPD for trainees which could be appropriate include:

- Any required CPD for trainees that covers the role of the regulatory bodies as they relate to the profession in Scotland
- Any required CPD for trainees that deals with risk management

2.3.2 Duties to the Court

Activities which might assist the achievement of this outcome:

- Discussing ethical issues with experienced practitioners
- Observing experienced practitioners
- Reading relevant legal texts

Examples of required CPD for trainees activities which might support the achievement of this outcome:

- Any CPD that covers the Duties to the Court

2.3.3 Duties to the Profession

Activities which might assist the achievement of this outcome:

- Discussing ethical issues with experienced practitioners
- Observing experienced practitioners
- Reading relevant legal texts.

Examples of required CPD which might support the achievement of this outcome:

- CPD that covers the Duties to the Profession

2.3.4 The Client-Solicitor Relationship

Activities which might assist the achievement of this outcome:

- Discussing ethical issues (including anti-money laundering and The Client-Solicitor Relationship) with experienced practitioners
- Observing experienced practitioners
- Reading relevant legal texts

Examples of required CPD which might support the achievement of this outcome:

- Attending a risk management event
- Attending an anti-money laundering event

2.3.5 Conflict of Interest

Activities which might assist the achievement of this outcome:

- Discussing ethical issues (including conflict of interest) with experienced practitioners
- Observing experienced practitioners
- Reading relevant legal texts

Examples of required CPD which might support the achievement of this outcome:

- Ethics training which includes conflict of interest

2.3.6 Confidentiality

Activities which might assist the achievement of this outcome:

- Discussing ethical issues with experienced practitioners
- Observing experienced practitioners

- Reading relevant legal texts

Examples of required CPD which might support the achievement of this outcome:

- Ethics training which includes confidentiality

2.4 Business, Commercial, Financial and Practice Awareness

Business, Commercial, Financial and Practice Awareness is a crucial part of being a solicitor. Understanding the business context of their work is of fundamental importance to a trainee solicitor as is an understanding of the regulatory and fiscal frameworks that he or she operates in.

Activities which might assist the achievement of this outcome:

- Discussing law, legal knowledge, management matters and the external business environment with experienced practitioners
- Observing experienced practitioners or work-shadowing
- Working on larger cases or transactions as part of a team
- Running smaller transactions under close supervision
- Feedback from PEAT 2 Quarterly Performance Reviews
- Reading relevant legal and business texts
- Secondments to business clients

Examples of required CPD which might support the achievement of this outcome:

- Any CPD activity which focuses on update and expanding knowledge of the law and legal practice including seminars on tax, management skills, the economic climate
- Workshops by the regulatory bodies of Scotland
- Workshops by organisations such as Chambers of Commerce or other business bodies
- Financial and Business skills training
- Any training that covers the rules of professional conduct relating to financial and accounting matters, including money laundering and mortgage fraud.
- Any accountancy-based courses (Business Accounting, Trust Accounts, Stock Exchange Matters, Tax Updates)

2.4.1 Practice Awareness and Work Management

To develop these skills, trainees could work on larger cases or transactions as members of a team or run transactions themselves under close supervision.

The importance of keeping clients regularly informed of a matter and the client care procedures outlined in the Practice Rules and Solicitors Standards should be emphasised to trainees. Further, the organisation's client care policies and risk management policies should be explained to the trainees (including when and how a trainee should deal with risk issues).

Activities which might assist the achievement of this outcome:



- Producing a schedule for a case/transaction which is broken up – where appropriate – into phases
- Use of a file management system
- Planning out phase of work to include time, cost and risk management
- Keeping accurate records and attendance notes
- Effectively managing files
- Regularly and fully reporting back to clients
- Discussing risk management and client care procedures with experienced practitioners
- Co-ordinating teams to review progress

Examples of required CPD which might support the achievement of this outcome:

- Time management training
- Any training that deals with matters of ethics, professional conduct, risk management training and client care
- File management training/File management system training
- Business skills training (e.g. budgeting etc)