



Children Law Accreditation

Re-accreditation application form guidance notes



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Contents

Overall guidance	3
Membership term and expected standards of competence at re-accreditation.....	3
Glossary of terms.....	5
Section 1: General information.....	6
A - Your details.....	6
B - Organisation information	6
Section 2: Re-accreditation assessment.....	6
A - Suitability for scheme membership	6
B - Case management volumes.....	7
C - Advocacy.....	8
D - Requirements for re-accreditation.....	8
Section 3: Professional development statement.....	8
Declaration	9
About the assessment process	10
What happens to the completed application form.....	10
How decisions will be made	11
Appeals	11

Overall guidance

1. These guidance notes are to assist you in applying for membership of the Children Law Accreditation. The application form includes basic instructions to help you complete the form correctly. Additional guidance notes are provided here.
2. **The scheme** covers all types of children law work. Practitioners who are not scheme members will remain free to undertake children law work but will not be identified as specialists.
3. Accreditation is for three years after which accredited mediators will need to apply for re-accreditation.
4. **Emboldened words** (apart from document headings and advisory notes) are defined in the **glossary of terms** which follows.
5. The application form is designed to be completed electronically in Microsoft Word (1997 and later). Please answer all relevant questions and use the 'tab' key to progress through the form. Questions require a combination of typed answers, choosing an option from a drop-down menu or check box confirmation. You are also required to provide separate supporting documentation, which must be submitted along with your completed application form.
6. References to statutes and regulations include any subsequent statute, legislation or regulation directly or indirectly amending, consolidating, extending, replacing or re-enacting that statute or regulation and to all orders, directions and notices made or served under them.

If any development affecting the Applicant after submission of this form would affect the answers given on this form (whether in relation to complaints, claims, regulatory matters, changes to relevant persons or otherwise), you must notify the Law Society as soon as possible and, in any event, within 14 days of the change or the decision to make the change, whichever is the earlier.

Membership term and expected standards of competence at re-accreditation

As you will note from your initial accreditation, membership is for an initial term of three years, after which time a member will be required to demonstrate their continued suitability to remain on **the scheme** by successfully completing a process of re-accreditation.

The purpose of re-accreditation is to ensure that members are maintaining the standards, systems and experience necessary to satisfy the Law Society as to their competence. It is not a re-examination of a member's original submissions.

Whilst there is no minimum requirement for time spent in practice in this area during accreditation, applicants to **the scheme** must ensure they have sufficient experience to continue to clearly demonstrate the following competencies and evidence that they are skilled in the area:

- experience of personal conduct of cases and personal representation of parties in public and other family proceedings as defined in the Children Act 1989 (*here "representation" means personal preparation and, unless impracticable, subject to your overriding duty to provide the best possible representation for your client, undertaking your own advocacy at all hearings*);
- personally undertaking the advocacy for clients;
- a thorough knowledge of practice and procedures in the appropriate courts;
- thorough awareness of ethical issues that may arise in children cases; and
- up to date knowledge of the various guidance, rules and regulations, statutes, case law and practice developments and competence in the requisite skills, outlined in the Knowledge and Skill Requirements document on page 12 of the initial application form guidance notes.
- Ability to work directly with children, explore their competence and establish their wishes and feelings.

Only solicitors and chartered legal executives who are employed by an SRA regulated practice (within which there is at least one solicitor who specialises in Children Law work and provides supervision) and hold a valid Family Proceedings Advocacy Certificate (or other appropriate advocacy qualification) awarded by the Chartered Institute of Legal Executives (**CILEX**), may hold Children Law Accreditation. Chartered legal executives are required to provide their up-to-date Family Proceedings Advocacy Certificate (or evidence of other appropriate advocacy qualification) when applying for re-accreditation.

Re-accreditation occurs every three years. A reminder will be sent to members three months prior to the due date. Please note, however, that it remains the responsibility of each accredited member to ensure that they submit their application for accreditation in good time and before their current accreditation lapses. The **accreditation office** will not accept failing to receive a reminder as a valid reason for late application.

Should the **accreditation office** fail to receive your application for accreditation before your current application lapses your accreditation will come to an end on its expiry date and you may be at risk of having to apply as an initial applicant should you wish to be accredited to **the scheme** once again.

If you believe that you will be unable to submit your reaccreditation in time due to extenuating circumstances (e.g. health or maternity/paternity leave), please contact the **accreditation office** for further guidance.

Questions?

We cannot process your application if any relevant information or documentation is missing from your application form. If you are unable to resolve your query using information provided in **the scheme** guidance notes below, please contact us:

Tel: 020 7320 5797

Email: accreditation@lawsociety.org.uk

Glossary of terms

Term	Definition
Accreditation office	The Law Society's Accreditation office , who receive and process accreditation applications.
CILEX	Chartered Institute of Legal Executives
FCILEX	Fellow of the Chartered Institute of Legal Executives
Disclosure and Barring Service (DBS)	The DBS helps make safer recruitment decisions and replaces the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).
EDBS check	Enhanced Disclosure and Barring service check
Glossary	The glossary contained within these guidance notes.
LAA	Legal Aid Agency
Professional Development (PD)	A structured approach to learning and development to help ensure continued competence in law, practice and procedure. Once accredited all members of the scheme will be required to ensure that they complete at least six PD hours of children law related courses or activities.
Practice	Any law firm regulated by the SRA , including Sole Practitioners partnerships, companies and LLPs .
Sole Practitioners	A recognised sole practitioner pursuant to the SRA Practising Regulations 2011 until 31/3/2012 and thereafter the Authorisation Rules 2011.
SRA	Solicitors Regulation Authority.
The scheme	The Law Society's Children Law Accreditation

Section 1: General information

All applicants should complete sections A and B

A - Your details

Question	Guidance
2	Please provide the daytime telephone number for the practice or organisation at which you work. This will be the telephone number we will use in the event that we need to contact you to discuss your application.
3	Please provide the email address for the practice or organisation at which you work. This will be the email address we will use in the event that we need to contact you to discuss your application.
4 - 5	Please provide information on any languages spoken to a litigation competent and list any other jurisdiction(s) you are qualified to practice in.
6	Please select up to three court regions in which you represent a child.
7	To be completed by <u>solicitor applicants</u> only. The SRA ID is the practice's reference number which identifies the practice and appears on the Law Society's public register. Each branch office of the practice will have its own individual SRA ID . The SRA ID being asked for here is the SRA ID for the main office.
8	To be completed by <u>solicitor applicants</u> only. Please indicate whether you currently hold a practising certificate. Please note, in order to remain accredited you must hold a practising certificate for the duration of your accreditation. You must contact the accreditation office if you no longer hold a valid practising certificate.
9	All CILEX applicants must be employed by an SRA regulated practice and be supervised by a solicitor specialising in Children Law.
10	To be completed by <u>CILEX applicants</u> only. Please indicate whether you currently hold a practising certificate. Please note, in order to remain accredited you must hold a practising certificate for the duration of your accreditation. You must contact the accreditation office if you no longer hold a valid practising certificate.

B - Organisation information

Question	Guidance
11	To be completed by <u>solicitor applicants or those employed by an SRA regulated practice</u> only. The 'main office' will be the office that you have listed with the SRA as the main address for your practice .
12	To be completed by <u>solicitor applicants or those employed by an SRA regulated practice</u> only. The SRA ID is the practice's reference number which identifies the practice and appears on the Law Society's public register. Each branch office of the practice will have its own individual SRA ID . The SRA ID being asked for here is the SRA ID for the main office.

Section 2: Re-accreditation assessment

A - Suitability for scheme membership

Applications for continued membership of **the scheme** may be accepted from existing Children Law Accredited solicitors and chartered legal executives.

Members will be expected to meet the minimum requirements for continued to accreditation in order to remain accredited to **the scheme** (e.g. **PD** and probity requirements). We also carry out checks to ascertain whether an Applicant is a fit and proper person to be accredited by **the scheme**. Further details can be found below and in the [General Application Criteria and Guidance](#) on the website. We will reject applications on initial assessment, if applicants are unable to demonstrate they meet the minimum requirements.

Disclosure and Barring Service (DBS)

Please note we cannot process applications unless we receive your **Enhanced Disclosure and Barring Service (EDBS)** check results or certificate. Whilst we can accept a previously issued enhanced disclosure, it must be no more than three months old at the date the **accreditation office** receives your application.

All applicants are required to apply for an enhanced disclosure check from the **DBS**, whether pursuing an initial or re-accreditation application. Our preferred provider is Atlantic Data, who can be contacted via the following link: <https://accreditation.disclosures.co.uk/LawSociety/>

If you choose Atlantic Data, you will not need to provide a copy. You can however, use any other provider of your choice, but must ensure that we are provided with a copy of the **DBS** check certificate in support of your application, which is certified by the same manager who has countersigned your application. The statement will need to read:

'I have seen the original document and I certify that this is a complete and accurate copy of the original'. The certifier then needs to sign and date the document and include their position.

As **DBS** checks can take up to six weeks, we strongly encourage you to start the process as soon as possible, as failure to provide the **DBS** certificate within 21 days of submitting your application to **the scheme** may result in your application being refused.

If a disclosure check reveals information that raises doubt about your suitability to remain a member of **the scheme**, your application may be rejected by the **accreditation office** after initial assessment. For further details, regarding the Law Society's initial eligibility checks, please refer to the individual accreditations' [General Application Criteria and Guidance](#) on the website.

Item	Guidance
13	Please indicate whether you have held an unconditional practising certificate. If your answer is 'no', please provide further details.
14 - 17	Please ensure that you provide full details of any issues that may affect your application and the Children Law Accreditation's reputation. Kindly note this information will be crosschecked against information we hold.

B - Case management volumes

Question	Guidance
18 - 22	Please provide details on your case holding over the last three years to give a picture of the volume and breadth of children law work you have undertaken. These must be matters for which you have been personally responsible.

C - Advocacy

Question	Guidance
22 - 29	Please provide details of your advocacy over the last three years to give a picture of the volume and breadth of children law cases for which you have personally conducted the advocacy.
30	Please confirm whether you were able to comply with all undertakings given throughout your accreditation.

D - Requirements for re-accreditation

Item	Guidance
31	<p>It is a requirement of the scheme to provide an example of your drafting as part of the assessment process. Applicants must provide a copy of a skeleton argument, written submissions, or a detailed position statement (including relevant law as well as factual matters), which they have drafted in respect of a case where they personally represented a party.</p> <p><u>Please note: In accordance with data protection legislation, names and any other details which may identify any individual involved in the case must be redacted. Applications may be refused where an applicant has failed to properly redact this information</u></p>
32	<p>Please provide two <u>anonymised</u> case reports, compiled from cases completed during the past 12 months, where you have had conduct of, and been the advocate in, children law proceedings.</p> <p>Briefly describe the legal and factual issues involved, the party you represented (e.g. parent, child) and the steps you took to conduct your client's case within these proceedings.</p> <p>Please ensure that the following requirements are met:</p> <ul style="list-style-type: none"> • The applicant must have acted for the client themselves throughout the matters, including at the final/contested hearing • The applicant must have undertaken all advocacy where possible; and if counsel was instructed, an explanation must be provided stating the reasons for counsel's instruction • At least one of the case studies should relate to a case where you represented a child; if you have not represented a child in any case within the last twelve months then please provide a separate note explaining the reason for this and provide reports of two cases where you have represented other parties. • At least one case report must deal with a complex element of either fact or law • At least one case report must deal with an application under the Adoption and Children's Act 2002, which could include an application for placement. • Case reports should be detailed and must not exceed 1000 words each <p><u>In accordance with data protection legislation, you must ensure that each case report is anonymised, or your application will be returned to you with the risk of no further consideration being given.</u></p>

Section 3: Professional development statement

The Law Society requires all re-accreditation applicants to provide full **PD** records for the last three complete practicing years preceding submission of the application. Applicants must have gained at least six **PD** hours in each of the practicing year in the subject area of children law, or related areas such as family law.

Please complete the professional development training record for each year:

- **Date** - the month and year the professional development was completed.
- **Description of the development** - summarise the development undertaken.
- **Course provider** - where applicable, state the name of the organisation/provider that provided the development.

- **Learning outcomes** - explain what you learnt from the development undertaken; clearly outline how it was delivered, the learning outcomes and how it has benefitted you in your ongoing professional development in children law.
- **Category of learning and relevant competence** - select the appropriate category of learning and the relevant SRA competence that your development meets. Where the development undertaken was prior to the implementation of the [SRA's new approach to continuing competence](#), you only need to select the relevant category of learning.
- **Number of hours** - state the duration of the development undertaken, in hours.

At least four of the required **PD** hours in each practicing year must consist of structured activities/courses. Activities such as observations, discussions, team meetings and reading journals will not be accepted as structured activities/courses for the purposes of re-accreditation. Any in-house training must consist of an organised program of learning with clearly defined learning objectives and outcomes to be considered structured and you may be asked to provide copies of the related learning materials.

Category of learning	Structured / Unstructured
Reading and self-reflection	Unstructured
Attending a course/training	Structured
In-house training	Structured, subject to conditions above
Team meetings/discussions	Unstructured
Online webinar/similar	Structured

All applicants must have completed six **PD** hours in each of the last three practicing years. If you have not completed the required hours for any reason, you must specify a reason. If the reason for non-completion is due to maternity or long-term sick leave, please tick the appropriate box and state the period of leave. You must also provide supporting documentation to confirm the reason for this period of leave (e.g. a maternity certificate (MAT B1) or a doctor's fit note). If you have been unable to complete the required hours for any other reason, please explain why in 'Other'. Reasons for non-completion will be considered by the accreditation office in order to determine whether your application can proceed.

Please note that should you fail to provide a complete training record and you are unable to provide a valid reason, your application may be returned to you.

Declaration

The Applicant and Supervising Partner or Manager must each complete a declaration to confirm that:

- the information provided by the Applicant is accurate and true
- the Applicant has personally prepared the attached skeleton argument and/or position statement
- the Applicant understands how the information provided by them will be used by the Law Society
- the Applicant will not share or disseminate the case study and/or case study questions provided to them as part of the reaccreditation process
- the applicant will personally prepare all of the answers to the case study assessment and submit only their own work

Please note: a Manager is defined as a partner in a partnership, director in a company, member of a limited liability partnership or in relation to any other body, a member of its governing body.

About the assessment process

Under the re-accreditation procedures and criteria, you will be asked to demonstrate your continued competence by:

- providing relevant information on the application form
- completing and returning your answers to a case study provided on receipt of your re-accreditation application
- providing two case reports, compiled from cases completed during the past 12 months. Please ensure that the following requirements are met:
 - The applicant must have acted for the client themselves throughout the matters, including at the final/contested hearing
 - The applicant must have undertaken all advocacy where possible; and if counsel was instructed, an explanation must be provided stating the reasons for counsel's instruction
 - At least one case report must deal with a complex element of either fact or law
 - At least one case report must deal with an application under the Adoption and Children's Act 2002, which could include an application for placement.
 - Case reports should be detailed and must not exceed 1000 words each
 - Applicants must ensure that each case reports is anonymised or will have their application returned to them, with the risk of no further consideration being given
- providing an example of your drafting; applicants must provide a copy of a position statement and/or skeleton argument as part of their application
- providing details of continuing professional development training attended throughout the duration of accreditation
- confirming the mandatory course for your accreditation period has been completed (to be rolled out in 2016)
- having a satisfactory professional record and satisfactory **EDBS** check.

The Law Society will also carry out checks against internal records and other sources as may be considered appropriate.

Members must continue to familiarise themselves with changes in law, practice and procedure, by completing at least six hours of Children Law related **PD** training or activities per year throughout their period of accreditation. **PD** hours undertaken must be structured PD activities/events or training courses.

As part of the re-accreditation process, we will require scheme members to supply details of **PD** training they have completed during the period of their membership.

What happens to the completed application form

When an application form is received, we will send an acknowledgment email. We will then check the application to confirm that you have met the minimum requirements and are eligible to apply for re-accreditation – for example, that you have undertaken the required amount of **PD** hours through structured activities, events or training courses. If at this stage you appear not to be eligible, we will contact you and ask for further information in support of your application. If you are eligible, we will follow the processes set out below for re-accreditation.

How decisions will be made

Following receipt of your application, you will be sent a case study scenario and set of questions, which you must answer and return to the **accreditation office** by email or post within 14 days. If your answers are not received within this time we will be unable to progress your application and your application will be returned to you.

Once we have received your completed answers and undertaken our initial checks, your application together with your case reports and skeleton argument and position statement will be sent to an assessor for consideration and marking. In considering your application, further information or clarification may be required from you. The assessor will then make a recommendation on the basis of the score achieved, as to whether you should be re-accredited or refused.

Appeals

Any Applicant who is dissatisfied with the accreditation decision is entitled to appeal to the Law Society against a refusal or revocation of accreditation.

Appeals will be determined by **the Scheme's** Chief Assessor on the basis of the application form and the interview documentation, where applicable, and any written representations made by the Appellant. Please refer to our [general application criteria and guidance](#) for further information on our appeals process.