
The following offers clarification and guidance on current Continuing Professional Development (CPD) Rules issued by the Costs Lawyer Standards Board (CLSB) for Costs Lawyers authorised and regulated by the CLSB.

1. What is CPD?

CPD is the compulsory and systematic maintenance of professional skills and personal qualities required throughout the working life of a Costs Lawyer.

2. CPD rules

CPD Rules for Costs Lawyers were revised and approved by the Legal Services Board on 29 June 2017. Those rules and current guidance can be accessed via the CLSB website at www.clsb.info under the Costs Lawyer Handbook.

3. CPD year

A full Costs Lawyer practising certificate year is a calendar year i.e. 1 January to 31 December (inclusive). A CPD year coincides with a practising certificate year.

4. Identifying CPD needs

A Costs Lawyer is encouraged to plan their annual CPD activities based on an objective assessment of their personal training and development needs in relation to their work and business practice. A Costs Lawyer should determine for themselves (bearing in mind their existing skills and the nature of their practice) the most appropriate subjects where they should undertake CPD, taking account of their responsibilities. When considering whether a type of training or activity would be appropriate it is suggested a Costs Lawyer asks the question “what is the value of this training in providing legal services to my clients?”

Under rule 1.3 “each CPD activity should be at an appropriate level and contribute to the general professional skills and knowledge of the Costs Lawyer.”

A Costs Lawyer should consider the following:

- What their current/future role and responsibilities are.

- What their existing skills are and what training is required to achieve the skills necessary to undertake current/future role and responsibilities.
- How the CPD would help them comply with the regulatory principles set out in the Costs Lawyer Code of Conduct.

5. How to earn CPD points

A minimum of 12 CPD points must be achieved in a CPD year from the table below. It should be noted certain activities carry a points cap, being the maximum for that activity in a CPD year.

	Activity	CPD points achievable	Point cap
1	Attending a costs law conference or other law conference	6 points for one day; or 4 points for half day; or 1 point per hour attended <i>(excluding breaks)</i>	10 points
2	Attending training (in-house or external) on: <ul style="list-style-type: none"> • costs law and practice; or • a legal subject matter of relevance to practice 	1 point per hour attended <i>(excluding breaks)</i>	6 points
3	Undertaking training via internet (e-learning) e.g. webinar, podcast on: <ul style="list-style-type: none"> • costs law and practice; or • a legal subject matter of relevance to practice 	As attributable by provider	6 points
4	An Accredited Costs Lawyer preparing and delivering training on costs law & practice	1 point for preparation 1 point per hour of delivery	4 points
5	ACL membership	2 points	2 points
6	Published written work on costs law e.g. article or law report (minimum 400 words per article)	3 points per published article	6 points
7	Acting as an examination marker for an Accredited Study Provider	4 points	4 points
8	Delivering a seminar on legal costs to a client	1 point per hour of delivery	2 points
9	Supervising a Trainee Costs Lawyer undertaking the Costs Lawyer qualification	1 point per hour	4 points

10	Receiving or delivering training in relation to practice management e.g. business, leadership, personnel management, accounts management	1 point per hour of delivery; or 1 point per hour attended	3 points
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6. Recording CPD activity

A Costs Lawyer is required to record their CPD activity in written format, to be signed to as a true record and dated. The CLSB issues a CPD record sheet in its annual practising certificate pack for use by a Costs Lawyer during the forthcoming practising year. In the event a CLSB issued CPD record sheet is mislaid, a copy can be accessed via the CLSB website at www.clsb.info under the forms section of the Costs Lawyer Handbook. A CPD record must be submitted to the CLSB upon request. The CLSB requests a Costs Lawyer's CPD record on an application for a practising certificate for a forthcoming year.

7. Auditing

Each year, the CLSB undertakes a random audit of CPD records received. A Costs Lawyer is required, under the CPD Rules and the Costs Lawyer Code of Conduct, to co-operate with the CLSB in the event such an audit is carried out in relation to their CPD record. In the event CPD has not been achieved as stated and signed to, this will be addressed by the CLSB under its Disciplinary Rules and Procedures.

8. Signing in at a CPD approved event

It is important that a Costs Lawyer signs the attendance sheet of any CPD event attended e.g. ACL National Conference, as the CLSB will refer to these when undertaking its annual random audit.

9. The self-employed Costs Lawyer

CPD applies to all Costs Lawyers, whether self-employed or employed.

10. The part-time Costs Lawyer

CPD applies to all Costs Lawyers whether working full-time or part-time. There will be no reduction in the number of CPD points a part-time Costs Lawyer is required to achieve, it will be 12 CPD points for the CPD year.

11. Not working consistently throughout the practising year

Examples may include the following during a CPD year:

- Long term sick leave (continuous period of one calendar month or more).
- Maternity/paternity leave.
- Qualifying.
- Being reinstated.
- Being made redundant.
- Taking a career break.

In the event a Costs Lawyer takes time off during a CPD year for any of the reasons above, and this can be substantiated by their employer/doctor letter or certificate in the event of a CLSB audit, then the Costs Lawyer will be required to achieve 1 CPD point for each full month worked. A Costs Lawyer is required to endorse on their CPD record why a lesser number of points has been achieved for that CPD year e.g. dates maternity leave was taken.

12. Retiring/retired Costs Lawyers

Should a Costs Lawyer intend to retire during a CPD year, they will be exempt from undertaking CPD during that CPD year. A retired Costs Lawyer is not required to undertake CPD.

13. Can CPD be carried over to the next CPD year?

No.

14. Funding CPD

The responsibility for undertaking CPD rests with a Costs Lawyer. Whilst many do, an employer is not obliged to provide a Costs Lawyer with funding or time off to achieve CPD points.

15. Exceptional circumstances

Should exceptional circumstances occur e.g. bereavement, serious illness of a family member, which has impacted on the ability to achieve CPD for the CPD year, a Costs Lawyer should contact the CLSB who will consider those circumstances. A Costs Lawyer will provide any documentary evidence reasonably requested by the CLSB in the event of exceptional circumstances. The CLSB will advise in writing if a dispensation is permitted in an exceptional circumstance. The full CLSB board may consider a written appeal against the decision of the CLSB, but there is no right of appeal thereafter.

16. Where CPD points cannot be claimed

CPD point cannot be claimed for:

- Serving on the CLSB board or one of its sub-committees.
- Serving on the ACL Council or one of its sub-committees.
- Attending a Costs Lawyer Group meeting, unless there is an Accredited Costs Lawyer presenting training at that meeting.

17. Can any Costs Lawyer provide CPD?

No, a Costs Lawyer is required to be accredited by the CLSB for the purposes of providing CPD to other Costs Lawyers and legal professionals. In being accredited, that Costs Lawyer complies with rules relating to accreditation. The register of Accredited Costs Lawyers can be located on the CLSB website at www.clsb.info.

18. Third party CPD providers

The CLSB will recognise CPD provided by any of the following. If in doubt a Costs Lawyer should contact the CLSB to establish if a provider activity counts as CPD:

- CLSB Accredited Costs Lawyer (register on CLSB website at www.clsb.info).
- CLSB Accredited Study Provider (register on CLSB website at www.clsb.info).
- Solicitor or firm of solicitors.
- Barrister or barristers chambers.
- An approved regulator of a legal services profession e.g. Solicitors Regulation Authority, Bar Standards Board, CILEx Regulation.

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- A representative body of a legal services profession e.g. The Law Society, Bar Council, CILEx.
 - Training company (legal or business skills).

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