Institute of Professional Willwriters
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Education and training requirements

Training & education requirements

The Institute of Professional Willwriters and the Institute of Scottish Professional Willwriters (the 'Sponsor') manage the IPW Consumer Code of Practice (the 'Code') with which all of its members (the 'Member') must comply.

The Sponsor has education and training requirements for those wishing to become members and for those who wish to retain their membership and the purpose of this booklet is to set out those requirements.

For any matter relating to these rules, please contact the IPW at the address on the back of this leaflet.

Requirements for entry into membership

There are 3 ways in which persons wishing to become members of the Institute of Professional Willwriters can become members:

1. Examination route

1.1. Persons wishing to become Full Members or Affiliate Members can elect to sit a written examination of 30 questions in 90 minutes under 'closed book' examination conditions. A mark of 70% is required to pass the examination. A sample examination paper is available on request. Applicants for these categories of membership are also required to complete a role play where they will be expected to take instructions and give any appropriate advice to a client (played by an existing member of the Institute) and then to select clauses from a suitable precedent book or software library to draft a Will in accordance with the instructions taken in the role play.

1.2. Persons wishing to become an Associate Member are required to sit and pass a written examination of 20 questions in 60 minutes under 'closed book' examination conditions. A mark of 70% is required. A sample examination paper is available on request. Applicants for this category of membership are also required to complete a role play where they will be expected to take instructions and give any appropriate advice to a client.

Training & education requirements

1.3. Persons wishing to become a Sponsored Member are required to sit and pass a written examination of 30 questions in 90 minutes under 'closed book' examination conditions. A mark of 70% is required. A sample examination paper is available on request. Applicants for this category of membership are also required to complete a role play where they will be expected to take instructions and give any appropriate advice to a client.

1.4. An examination marking fee is payable – which is waived once per membership year for Student members of the IPW.

2. Experienced practitioner route

2.1. Persons wishing to become members of any category and with at least 5 years of experience within the Willwriting sector can elect to complete 4 written assignments. Applicants are required to select 4 of their recent clients whose advised solutions demonstrate the competence of the applicant. It is suggested that these case studies should include a single person, a young couple with young children and an elderly couple wanting to protect their estate.

2.2. For each case the applicant is required to submit

- **2.2.1.** a copy of the client instruction sheet
- **2.2.2.** copy of the Will(s) and any other documents prepared for the client(s)
- **2.2.3.** a written commentary of the issues surrounding the client and the advice given and the reasons for the rejection of any particular advice if appropriate.
- **2.2.4.** before submitting any copy documentation the applicant should remove any information which enables the client(s) and anyone named in their documents from being identified – by removing surnames and first parts of addresses.
- **2.2.5.** all four assignments must be submitted in total and at the same time.

2.3. An examination marking fee is payable – which is waived once per membership year for Student members of the IPW.

Training & education requirements

3. Exemption

3.1. Persons wishing to become members of any category are exempt from the examination route and the experienced practitioner route if:

3.1.1. they have a current practising certificate from the Law Society or a certificate which has lapsed within the past 6 months AND they can demonstrate experience in the field of Willwriting over the past 3 years or;

3.1.2. they have achieved at least a Diploma in Trusts & Estates with the Society of Trust and Estate Practitioners (STEP) AND they can demonstrate experience in the field of Willwriting over the past 3 years or the period since they obtained their qualification (whichever is less) or;

3.1.3. they have achieved at least an ILEX Level 3 Certificate in Law & Practice in Elderly Client Practice or Probate Practice AND they can demonstrate experience in the field of Willwriting over the past 3 years or the period since they obtained their qualification (whichever is less) or;

3.1.4. they have achieved a qualification of at least equivalent level to the above as approved by the Council of the IPW AND they can demonstrate experience in the field of Willwriting over the past 3 years or the period since they obtained their qualification (whichever is less)

Training & education requirements

Requirements to maintain membership

1. Introduction

It is the policy of the Sponsor that all Members should keep abreast of changing legislation and case law reports relevant to the profession of writing Wills and Estate Planning.

Members of the Sponsor must be prepared and informed so that they can meet the obligations necessary to provide the best possible service to their clients.

The Sponsor recognises the need for Continuing Professional Development (CPD) and its scheme meets the following requirements:-

· It is relevant to the needs of Members in their field of work;
· It is flexible to cater for particular circumstances of Members;
· It does not create onerous demands on time;
· It is not administratively burdensome;
· It is not unreasonably costly.

2. Basic requirements of the scheme

The minimum requirement for members is as follows:

- Full, Fellow and Affiliate Members - 20 hours CPD per year of which 12 hours must be structured training and 8 hours unstructured training or study.

- Sponsored Members - 14 hours CPD per year of which 8 hours must be structured training and 6 hours unstructured training or study.

- Associate Members - 6 hours CPD per year of which 4 hours must be structured training and 2 hours unstructured training or study.

The CPD year will commence on the first day of the month following the date that the relevant Examination is passed (or suitable examination exemption is awarded) and will end one calendar year later.

Training & education requirements

3. Exceptions

The Sponsor has discretionary powers to reduce the number of CPD hours (pro-rata in any year) for any Member where there is good reason for the CPD not being completed. Examples of such good reason are ill-health, non-practising work break, temporarily engaged in other full-time work.

In the case of Fellow Members, up to 4 hours of the required 12 hours structured training may be made up by any of the following:

- Offering approved specialist training.
- Offering mentoring and/or Will checking.
- Undertaking special projects for the Sponsor.

4. Structured training

Attendance at conferences, seminars, workshops, discussion meetings or similar events where CPD hours are assigned. Members who work on behalf of another member can complete all of their structured training requirement using online facilities approved by the Sponsor from time to time.

All other classes of member can complete up to half of their training requirement using online facilities approved by the Sponsor from time to time. Members can receive any or all of their structured training requirement from another Member of the Institute provided that the training is approved by the Sponsor beforehand.

5. Unstructured training

Reading and Research. Any learning media provided by the Sponsor or by another authorised provider whether or not in conjunction with video support and computer based training packages.

6. Non-core subjects

Structured and Unstructured training must relate to the field of Wills, Powers of Attorney, Estate Administration and related work. It is appreciated that Members must often keep up to date on other related topics of law and financial services and such other study must form no more than 25% of their CPD requirements.

Training & education requirements

7. CPD requirements of other professional bodies

Members may also be members of other professional bodies having CPD (or its equivalent) requirements or recommendations.

Where a Member is also undertaking CPD for an appropriate organisation the CPD hours undertaken through such other organisation will count towards the Sponsor's CPD requirements provided that they are relevant to Willwriting. This will include attendance at conferences and courses.

8. Records

Members should keep their own records of the unstructured CPD training they undertake on a Personal Record Sheet which shall be made available for inspection at reasonable notice.

Members shall submit to the IPW evidence of structured CPD training undertaken by them. Evidence shall include the name of the training provider, the date of the training, the number of training hours awarded and the subject(s) of the training.

Suitable evidence could be;

- A copy of an attendance certificate supplied by the training provider or;
- A copy of the receipt acknowledging payment for training.

9. Failure to meet training requirements

If a Member fails to meet the requirements in a particular year he/she will be required to achieve a specified number of CPD hours in the following year, in order to meet the requirements over a two year averaging period.

If a Member fails to meet requirements in a two year averaging period, membership of the IPW will be suspended until such time as the relevant IPW Entrance criteria is again met.

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