

## Professional Skills Course: Elective Modules

We offer a wide range of elective modules so you can specialise in a particular field to complete your Professional Skills Course (PSC). The elective modules give you the choice to expand on one or more of the subject areas from the compulsory modules, or you can choose a path to suit your areas of interest. Four elective modules are required to complete the PSC. We offer the following elective modules (subject to demand):

### Case Analysis and Management

This session includes a review of the management of a dispute to trial or earlier settlement using both open and without prejudice mechanisms. Topics will include:

- drafting correspondence compliant with the relevant Protocols and Practice Directions
- how to assess the time and costs involved in the conduct of the dispute
- how to formulate an effective case strategy
- the court's case management role
- the importance of a dispute resolution strategy and its use in the context of Conflict Prevention and Resolution (CPR) part 36 offers
- the impact of the proposed Jackson reforms to case management
- the tactical use of the CPR to gain a procedural advantage; a review of a broad spectrum of Alternative Dispute Resolution (ADR) mechanisms, how they work, when they are appropriate and the costs sanctions of unreasonably refusing ADR.

### Negotiation in a Business Context

The negotiation course aims to equip trainees with:

- An understanding of what negotiation is
- An appreciation of their personal style and approach to the negotiation
- The tools and techniques necessary to carry out an effective negotiation at a basic level
- The skills to identify methods by which negotiations can be planned, conducted and reviewed
- Confidence to approach negotiations.

In addition to a lecture on negotiation planning and techniques delegates will be given the

opportunity to conduct three negotiations, one in the form of a role play, one in an amicable commercial environment and one in a hostile commercial environment.

## Litigation Drafting – A Comprehensive Guide

This is a practical course designed to improve drafting skills in the context of civil Statements of Case, from Particulars of Claim to Additional Claims against Third Parties. You will:

- Analyse the ingredients of drafting and professional duties
- Discover what to include and what to leave out
- Learn tactics and persuasive drafting
- Understand Employment Law and Practice

This course follows the life cycle of employment from recruitment through to termination taking each area of law in context and aim to provide a practical understanding of all the key areas listed. It is suitable for those with no knowledge or experience and will cover;

- Recruitment issues – the legal and practical considerations
- An overview of discrimination legislation and Equality Act 2010
- Contracts of employment: Terms required by law and common terms imposed by employers
- Employment rights
- Transfer of Undertakings (Protection of Employment) (TUPE): A summary of the Transfers of Undertakings Regulations and the implications for employers selling or buying businesses
- Termination of employment
- Redundancy
- Remedies
- Managing attendance: a guide on handling absence problems fairly and within the law (including dealing with stress)
- Performance, discipline and grievance: A summary of the legal framework and a practical guide to investigating problems and dealing with them

## Drafting Commercial Contracts

Provides hands-on practice of drafting a commercial contract (both 'blue sky' drafting and the use of precedents). A highly practical and interactive session bringing together the principles of good drafting practice and the substantive law relating to a sale of goods contract. Most of the session is dedicated to a practical scenario and the drafting of a suitable contract to achieve identified goals of the client.

The session acts as a refresher for some basic principles of contract law and puts the relevant

law in its practical context, e.g. the identification and use of relevant 'boilerplate' clauses.

## Alternative Dispute Resolution

Mediation is about resolving conflicts in the widest sense. Conflicts are not limited to litigation. All solicitors benefit by understanding the theoretical and practical skills involved in mediation not only because of its importance in many practice areas but also in order to be effective in management and client care generally.

Mediation is the most successful form of alternative dispute resolution, as a substitute for the litigation process and as the first option in many commercial, employment, family and community-related disputes.

In this interactive course, we introduce a range of exercises which enable you to experience the individual elements of mediation, culminating in a full mediation role-play which illustrates the dynamics of the process as a whole.

## Effective Written Communication

This course is a practical workshop designed to improve the accuracy, style and structure of your professional writing. You will examine the principles of effective writing, identify and remedy problems with grammar and spelling, and learn how to write with clarity and precision.

## Buying and Selling a Business

Most corporate transactions involve the sale of small and medium-sized businesses which make up most of the country's business enterprises. This course is a guide to the practicalities involved in buying and selling the typical small or medium-sized business and an introduction to the process of the due diligence exercise, warranties and disclosures, including:

- Drafting and negotiating the documents
- Managing the small business client
- VAT and Stamp Duty Land Tax (SDLT) issues
- Assigning contracts
- Dealing with leased assets
- TUPE
- The due diligence process
- Managing warranties and disclosures

## Commercial Leases: Landlord's and Tenant's Perspective

This course will be run as a workshop and consider specimen clauses in a draft lease and the amendments a tenant might make. The objective is to ensure that the delegates can draft and negotiate with confidence, understand why clauses are drafted or amended in a particular way, what is important and what compromises can be made.

Please note: This course is suitable for those who have not studied an LPC Elective focusing on commercial leases, or as a refresher.

## Employment Law & Practice Days 1 & 2

For more information please send a request to [ExecEd@uwe.ac.uk](mailto:ExecEd@uwe.ac.uk).