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SEPTEMBER – DECEMBER 2018

Private Client Practice

Your Training Guide



Central Law Training

Wilmington Professional

Your Private Client Training Guide

The deadline to make your second declaration under the SRA continuing competence regime is next month. Now is the time to finalise your autumn training schedule to ensure your learning and development needs are addressed by 31 October.

Central Law Training, the UK's leading provider of post-qualification training for legal professionals, provides an unparalleled range of training courses, conferences and webinars. These are delivered by expert speakers to help you develop your skills and knowledge and meet the SRA's requirements. This training guide contains details of our training taking place September – December 2018. To view our full range of training please visit www.clt.co.uk.

With experience of working closely with firms of all sizes, corporates and public bodies, we are the perfect partner to help you maximise your training budget and ensure you and your firm receive the training that you need.

A Key to Your Training Guide

To help you identify the right training for you, each course is tagged with the SRA competency area(s) that it covers, the training duration and level.

SRA Competences	Length of training and prices
A Ethics, professionalism and judgement	3 3 hour course £105 + VAT Package price £120 + VAT CLT Members / £240 + VAT Non-members
B Technical legal practice	5 5 hour course £175 + VAT Package price £240 + VAT CLT Members / £480 + VAT Non-members
C Working with other people	6 6 hour course £210 + VAT Package price £240 + VAT CLT Members / £480 + VAT Non-members
D Managing themselves and their own work	12 2 day course £420 + VAT Package price £480 + VAT CLT Members / £960 + VAT Non-members
	5 5 hour Masterclass £175 + VAT Package price £300 + VAT CLT Members / £600 + VAT Non-members
	6 6 hour Masterclass £210 + VAT Package price £300 + VAT CLT Members / £600 + VAT Non-members
	Webinars are 1 hour £35 + VAT Package price £60 + VAT CLT Members / £120 + VAT Non-members

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HOT TOPIC**Certificate in Will Drafting**

5 B

Foundation

Rebecca Sharp

Area B of the SRA's competence statement states that practitioners should be able to 'obtain relevant facts', 'develop and advise on the relevant options' and 'draft documents which are legally effective and accurately reflect the client's instructions'.

With this in mind, this course is designed for those with little or no experience in will drafting to ensure that they can comply with area B in the context of will preparation. By the end of the course the delegate will feel confident in drafting not only simple, but also more complex wills and their ensuing due execution.

In particular it will deal with:

- Capacity and intention to make a will and how to resolve problems
- Appointment of executors
- Appointment of guardians
- Types of legacy and problems in drafting including: lapse, ademption and abatement
- Particular assets including – business assets – advantages, problems and pitfalls, the matrimonial home – how to protect the surviving spouse's rights of occupation
- Drafting residuary gifts: how to avoid a partial intestacy
- Trusts: types, uses and taxation
- Trustees' powers in the light of the Trustee Act 2000: are express powers still necessary?
- Formalities and solicitor's duty in relation to execution
- Tax efficient will drafting
- Some common howlers

*Excellent introduction to the world of wills.
I now feel confident to take instruction and draft wills.*

London	24 Oct
Birmingham	28 Nov

Wills and Probate Update 2018

5 A

Update

Professor Lesley King

This course will acquaint private client practitioners with recent developments in the areas of will drafting, construction and interpretation, trusts and probate practice and related tax issues to ensure practitioners can apply these developments to their daily practice and be able to discuss the changes in an informed way with colleagues and clients. It will also look ahead to future developments.

The course will cover:

- Wills, trusts and probate cases and developments
- IHT cases and developments
- Miscellaneous Tax issue
- Future developments

Admirably clear and comprehensive exposition of a wide range of will and probate issues. First class!

London	5 Oct
Birmingham	17 Oct
Newcastle	19 Oct
Bristol	31 Oct

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Making training affordable and simple for you and your team

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For more information visit
[www.clt.co.uk/
membership](http://www.clt.co.uk/membership)

CLTA10818

BEST SELLER

Will Drafting Masterclass

5 **B**

Masterclass

Professor Lesley King

In a time of increased competition and legislative changes, anyone preparing wills needs to be confident in the quality of the product offered. This practical course is designed to allow practitioners to take a fresh look at their drafting practices, particularly in the light of recent legislation and case law.

Mini-case studies and suitable precedents will accompany the materials and there will be opportunities for questions and discussion. The course will also provide a thorough review of negligence and best practice.

Session 1: Taking Instructions: What do You Need to Know?

- Details of property owned including examination of case law surrounding proprietary estoppel, constructive/ resulting trusts and bank accounts
- Details of family and dependants including possible claims under I(PFD) A 1975 *Ilott v Mitson*
- Any reason to question capacity/consider undue influence? Should you see earlier wills? *Kenward v Adams, Charles v Fraser*. What about the golden rule? *Key v Key, Wharton v Bancroft and Others*. What is undue influence? *Hubbard v Scott*? Liability for costs?

Session 2: Planning the Will

- Spouses and children including advantages and disadvantages of using the transferable nil band, residence nil rate band, discretionary trusts and IHTA 1984, s.144 and flexible life interest

- Cohabitees and children
- Opportunities and pitfalls of using pilot trusts?
- Property eligible for BPR-maximising relief, IHTA 1984, s.39A and double dip
- Are mutual wills ever a good idea?

Session 3: Will Drafting

- Topping: revocation and foreign wills (EU Succession Regulation considered) and will in expectation of marriage/ formation of civil partnership
- Tailing: signature on behalf of testator and special attestation clauses
- People: executors and trustees, partners in firm, charging clauses, IHTA 1984, s.144 problems, exemption clauses, self dealing and guardians
- Beneficiaries including survivorship clauses, charities and Wills Act 1837, s.33
- Non-residuary gifts

£175 + VAT Package price**£300 + VAT CLT Members/£600 + VAT Non-members**

Birmingham	13 Sep
London	18 Sep, 5 Dec
Manchester	25 Oct

Digital Assets: Planning in An Online World **NEW**

3 A B

Intermediate

Ian Bond

Facebook, Instagram, Bitcoin – all things that might not be at the forefront of your conversations with your private clients at the moment, but as the ‘Generation Xers’ and ‘Millennials’ get older, and thoughts of mortality creep in, these are likely to be hot topics of discussion. Like it or not much of our lives, both professional and personal, has found its way into the digital sphere. It is now important for all practitioners to consider and discuss with their clients what will happen to their digital estate on their death.

Get up to date and stay ahead of the competition as this three-hour course covers the practical and the legal aspects of a digital demise, including:

- What are digital assets
- What the law says on who actually owns digital assets
- Dealing with digital assets in the will making process
- Who has access to those digital assets on death
- Examples where fiduciaries have struggled to gain access to digital assets on death
- The issues in locating and accessing digital assets after the death has occurred
- How the law in this area needs to be updated to keep pace with technology
- Discussing the recent proposals from the Law Commission on bringing the law of wills into the 21st century

London	17 Sep pm
Southampton	24 Sep pm
Sheffield	22 Oct pm

HOT TOPIC

A Tricky Business: BPR and APR Explained

3 B

Intermediate

Rebecca Sharp

The availability of BPR and APR can provide some welcome tax planning opportunities for your clients, both during their lifetime, and upon death via their will. However, the legislation can be tricky to understand and whether or not the reliefs apply can sometimes be unclear.

Suitable for all private client practitioners with business or agricultural clients, this fresh new course will ensure that you leave with a thorough grip on the issues at hand by examining not just the theory, but how the law is applied by HMRC in practice.

Points covered will include:

- What does the legislation say and what is HMRC looking for?
- Trading businesses v investment businesses
- Caravan sites and holiday lettings
- APR on farmhouses – including functionality test
- The relationship between APR and BPR
- Trusts
- Entrepreneur’s Relief
- Tax planning opportunities via the Will and lifetime gifting
- Examination of recent cases

Manchester	12 Sep pm
London	23 Oct pm

IHT400: A Practical Guide

3 B D

Intermediate

Rebecca Sharp

This practical and interactive half day course is a must for anyone involved in probate practice that is required to complete form IHT400. Our expert, Rebecca Sharp is more than happy to answer your questions, so there really is no need to struggle with this form any longer! The course deals with a number of quirky issues that can arise from the assets and liabilities of an estate and their subsequent impact on the IHT400.

These include:

- What is the estate and how to value it
- Exemptions and reliefs
- Grossing up
- Transferrable and residence nil rate band
- Amendments
- Making mistakes and penalties

Birmingham	<i>17 Oct am</i>
Newcastle	<i>14 Nov am</i>
London	<i>12 Dec am</i>

HOT TOPIC

A Practical Guide to Variations and Disclaimers

3 B

Intermediate

Rebecca Sharp

Following the government's decision in 2015 not to restrict how deeds of variation are used for tax purposes, post death variations continue to be a very important tool for re-arranging the estate of deceased persons both for tax reasons or to achieve a more equitable distribution and potentially avoid litigation. Case studies and delegate participation ensure that after attending this course, practitioners are aware of the requirements for after death variations to be effective, when each type should be used and the tax consequences of the different types of variation.

This course will cover:

- Deeds of variation vs disclaimers
- Inheritance (Provision for Family and Dependants) Act 1975
- Precatory trusts
- Requirements and scope of the arrangements
- Tax consequences and tax planning
- Transferable nil rate band
- Tips and traps

Birmingham	<i>17 Oct pm</i>
Newcastle	<i>14 Nov pm</i>
London	<i>12 Dec pm</i>

BEST SELLER

Advising and Planning With the Residence Nil Rate Band

3 B

Intermediate

Professor Lesley King

The residence nil rate band (RNRB) is now in force for deaths on or after 6 April 2017 and with it having been described as 'complicated and convoluted', this course is a must for anyone involved in will drafting and estate administration.

The RNRB has attracted significant media comment (much of it wrong) and confusion as to its application still exists among some practitioners. It is therefore important to be fully briefed to deal with client enquiries and ensure wills are drafted to get the best results for your clients.

Learn when lineal descendants are treated as 'inheriting' and the meaning of a 'residence' as our expert speaker, Lesley King takes you through the new rules complete with case study examples, to ensure you are as up to date and prepared as you can be to advise your clients fully.

The course will cover:

- How the RNRB works
- The effect of the downsizing provisions
- The implications for will drafting and estate planning
- Case studies

Newcastle 21 Sep pm
 Bristol 1 Oct pm
 Southampton 22 Oct pm

Fee Charging for Private Client Work

3 D

Foundation

Linda Pratt

Developed following popular demand! Using the course case studies from the Private Client Conversion Course, our highly engaging speaker, Linda Pratt, will explain her approach to the challenging exercise of setting an effective fee charging structure.

Linda ran her private client practice with a strong personal input into the costing of the legal services provided by her firm. Recognising the value of the will, trust, power of attorney, accurate and timely administration of an estate rather than only the physical creation of the document/estate distribution produced for the client, formed the basis of her highly successful practice. Added to this was an empowerment of her staff to have the knowledge and confidence to apply a fee charging structure based on a range of agreed practice guidelines.

Always a lively discussion between Linda and the course delegates, this lecture aims to round off a very rewarding week for all but is also available to non Private Client Conversion Course delegates.

Linda is excellent at presenting the course and keeping everyone interested, whilst being very informative

London 12 Oct pm
 Birmingham 7 Dec pm

BEST SELLER

Private Client Conversion Course

27 **A** **B**

Intermediate

Caroline Bielanska, Linda Pratt, Rebecca Sharp and Richard Adkinson

This course is designed to bring delegates up to a basic level of competence in private client work. It is suitable for practitioners in any field wishing to change specialisms and also for trainees as it assumes no knowledge at the outset. There will be practical exercises and case studies throughout with plenty of opportunity for questions and discussion.

Accompanying the course materials will be a resources pack with forms, guidance and other materials. Due to the introductory nature of the course and the fact that only the basics are covered, it may be necessary to attend some of our other courses for more advanced training.

Day 1: Will Drafting and Basic Tax

Includes structure and specific clauses, IHT and CGT and variations and disclaimers.

Day 2: Trusts

Includes principles and essential elements for creating trusts, taxation, drafting lifetime trusts and a look at the intestacy rules.

Day 3: Advising Elderly Clients

Includes the Mental Capacity Act 2005, the Code of Conduct, assessing mental capacity, Lasting Power of Attorney forms and nursing care funded by NHS.

Day 4: Probate and Administration of Estates

Includes, property passing outside the Will/intestacy, preparing the IHT205/IHT400, oaths, tax during the administration of estate, finalising IHT and estate accounts.

Day 5 AM: Workshop of Practical Exercises and Case Studies

This will provide an opportunity to review your learning over the course and look at detailed case studies with worked examples. Feedback from earlier events shows this is a much needed exercise in consolidation.

Requires booking specifically:

Day 5: Fee Charging for Private Client Work (Optional afternoon lecture: 1pm – 4pm)

Using the course case studies Linda will explain her approach to the challenging exercise of setting an effective fee charging structure. (See previous page)

£945 + VAT Package price*£1080 + VAT CLT Members/£2160 + VAT Non-members*

London	8 - 12 Oct
Birmingham	3 - 7 Dec

Drafting Commercial Lasting Powers of Attorney

3 B

Intermediate

Craig Ward

Company and Private Client Lawyers take heed! Legislative changes concerning company directors say; if they lack mental capacity they may not necessarily now be removed. This creates a quandary for a company, particularly their attitude to risk. Doing nothing could endanger the company; creating a Commercial LPA reduces the risk. Commercial LPAs can be used to manage decisions where a director is unavailable or away on business, just like an ordinary LPA or where they become incapacitated for longer periods of time or lack mental capacity.

This course will take solicitors through relevant company law; identifying business structures and drafting Commercial LPAs. Showing how different areas of law impact and how best to advise a company on making a Commercial LPA.

This course will cover:

- Personal & commercial LPA clashes
- Directors: problems and removals
- Taking instructions
- Checking & adjusting business structures
- Applying current case law
- Drafting a Commercial LPA

Sheffield 18 Sep pm
London 5 Dec pm

BEST SELLER

Practical Probate: The Works

6 B

Foundation

Linda Pratt

This course will give a detailed and reassuring overview of the complete process of handling an estate in a cost efficient manner without compromising client service. A winning combination!

- Taking instructions: who is your client and who is not
- Ascertaining details of assets for both probate and tax purposes, taking control and identifying type of ownership of the assets and establishing liabilities of the estate
- Establishing a client led step by step procedure to confidently handle the estate information received throughout the whole administration of the estate, resulting in an excellent relationship between you and your client
- Establishing the validity of the will/status under intestate succession, and preparing and completing through worked examples the Oath and HMRC accounts (full copies and supporting documentation provided)
- Collecting in, transferring the assets, settling debts/liabilities from the correct assets of the estate
- Distribution under the intestacy rules or terms of the will, interim distributions and missing beneficiaries
- Finalising the administration preparation of estate accounts, obtaining client acceptance of your legal fees, tax vouchers and vesting of estate assets

Manchester 8 Oct
London 10 Oct
Birmingham 5 Dec

Certificate in Probate and Administration of Estates

12 B

Foundation

Anthony Miller

This is a structured two day course designed for those practitioners wishing to gain a good practical grounding in this field.

It is suitable for trainees and newly qualified solicitors who have had little or no grounding at the academic stage, for those returning after a career break and those wishing to change specialisms. This course covers all aspects post-death through to finalisation of the estate:

- Good overview of steps in an administration
- Personal representatives: different types, their duties and authority and options available
- The initial interview: who is my client? What is my general duty to my client?
- Taking instructions: information required, immediate practicalities to address
- Setting up the file; initial letters; organising and managing the file
- Obtaining information about the estate and ascertaining beneficial entitlement
- Property passing outside the will or intestacy: 'jointly owned property'
- Is there a 'will'? Is it the last will? Are the clauses valid? Is it admissible to probate?
- Entitlement on intestacy
- Preparing the papers to lead to the grant: Responsibilities of Personal Representatives; Form IHT 400, calculation and payment of IHT, and raising funds to meet IHT liability
- Completion of Oath for common form Grants: Probate, Letters of Administration with the will annexed and Letters of Administration
- Other evidence: affidavits of due execution, plight and condition and identity
- Administering the estate: collecting in assets, paying debts and legacies, settling deceased's tax liability to date of death
- Tax during the administration of estate: PRs liability, payments to beneficiaries during the administration and disposals during administration
- Finalising IHT, corrective accounts and obtaining Clearance Certificate
- Finalising the administration: Estate and Distribution Accounts, transfer to beneficiary entitled
- Inheritance (Provision for Family and Dependants) Act claims
- Post-mortem tax planning

Birmingham 18 - 19 Sep

London 27 - 28 Nov

Contentious Probate: Current Issues and Problem Areas for Practitioners

5 B

Intermediate

Luke Harris

Contentious probate is an expanding area of practice. This course equips practitioners to advise personal representatives, beneficiaries and potential claimants with confidence and is equally suitable for contentious and non-contentious probate practitioners and civil litigators who seek a greater understanding of the issues involved.

It will include a review of developments and relevant case law over the last five years, a consideration of preparation of cases, and practical obstacles and how to overcome them.

The course will cover:

- The probate jurisdiction of the court
- Issues as to formal validity of wills: testamentary intention and due execution
- Probate claims based upon testamentary incapacity, want of knowledge and approval, undue influence and forgery
- Interest claims
- Evidence
- Practice and procedure in probate claims
- Costs in contentious probate claims

London 4 Oct

BEST SELLER

Contentious Probate and Will Disputes: Developing Your Knowledge

5 A B

Foundation

Richard Land

Unlike some other litigation, contentious probate and will disputes are increasing year on year.

This course is designed for litigators who wish to develop their knowledge in this field and enable them to start to build a practice in an area which is both interesting and challenging in equal measure.

The course will cover both legal and practical issues:

- Different types of claim
- Probate and intestacy
- Standing searches, caveats, warnings and appearances
- Challenging a will
- Inheritance Act claims: factors to consider, pre-action steps, the effect of prenuptial agreements, dispositions intended to defeat claims
- Cost and case management
- When to mediate and when not to?
- Costs: usual rules and exceptions, Part 36 offers and conduct of parties

The speaker was very engaging and relevant and involved the attendees to interact during the presentation.

Newcastle 10 Oct
Birmingham 22 Oct
London 10 Dec

BEST SELLER

Certificate in Trusts

12 B D

Foundation

Leon Pickering and Stephanie Churchill

This course will equip private client practitioners with all the knowledge they need to tackle the topic of trusts with confidence. Suitable for trainees, newly qualified solicitors, those requiring a refresher and anyone who needs to be confident in providing advice relating to trusts, this course covers trusts from start to finish; from deciding upon the most appropriate form of trust for the client's needs, right through to the distribution to the beneficiaries.

Under the SRA Competence Statement, amongst other things, solicitors need to show they can 'maintain the level of competence and legal knowledge needed to practise effectively, taking into account changes in their role and/or practice contexts and developments in the law', 'draft documents which are legally effective and accurately reflect the client's instructions' and 'plan manage and progress legal cases and transactions'. Rest assured, this course will help you demonstrate competency in these areas.

Day One

Topics covered include:

- Aims, purposes and types of trusts
- Powers and duties of trustees
- Administering the trust effectively
- Trustee liability and overview of litigation
- Termination of the trust; death of beneficiary, achieving contingencies, by exercise of trustee powers, apportionment, tax issues
- Checklist prior to completion/closure of trust

Day Two

This part of the course will cover:

- Income tax and capital gains tax: tax payable on trust income and the burden of this tax on trustees and beneficiaries
- Inheritance tax: the rules for both interest in possession trusts and those trusts which are subject to the Discretionary Trust (relevant property) regime, whether created in lifetime or by will, and how IHT is calculated for all types of trust.
- Trusts and Financial Planning: including types of trust and uses, trusts for testator's family and children, and accumulations of income

Birmingham 11 - 12 Sep

Manchester 17 - 18 Sep

Southampton 27 - 28 Sep

Producing Estate Accounts Made Simple: A Workshop

3 B

Foundation

Mark Vickers

This practical, half day course is aimed at practitioners who are involved in the day to day administration of estates. It provides guidance in the use of basic accounting techniques and the sources of information necessary in the production of estate accounts. Our speaker will give you the knowledge and understanding you need to prepare estate accounts as well as how to communicate effectively with accountants, executors and beneficiaries.

Topics covered include:

- Completion of the Estate at Death (Capital 1) Account from data extracted from forms IHT400/IHT205
- Completion of an analysed cash account sourced from the client ledger
- Completion of the Estate Capital (Capital 2) Account
- Amendments and adjustments to the net estate
- The treatment of Inheritance Tax, Administrative expenses and specific and general legacies
- Completion of the Estate Income Account
- The Distribution Statement and Investment Schedule
- The Balance Sheet

London

23 Oct am

Producing Trust Accounts Made Simple: A Workshop

3 B

Foundation

Mark Vickers

This half day course is aimed at practitioners who are involved in the day to day administration of trusts. It provides guidance in the use of basic accounting techniques and the sources of information necessary in the production of trust accounts. Our speaker will give you the knowledge and understanding you need to prepare trust accounts as well as how to communicate effectively with, accountants, trustees and life tenants.

Topics covered on this course include:

- Components of a Trust Balance Sheet
- Revaluation of Trust investments
- Realization of Trust investments
- The updating of the analysed cash account sourced from bank transactions
- Updating the Trust Capital Account
- Updating the Trust Income Account
- The treatment of administrative expenses
- The Distribution Statement and the Investment Schedule
- The closing Trust Balance Sheet where appropriate

A very useful overview to help in connection with the preparation of Trust Accounts

London

23 Oct pm

Certificate in Private Client Tax **NEW**



Foundation

John Bunker

Private client practitioners, and anyone involved in the administration of estates or the provision of tax and estate planning advice, need a sound grasp of the three main taxes that feature in their day to day work: Inheritance Tax (IHT), Capital Gains Tax (CGT) and Income Tax.

Presented by John Bunker, Solicitor and Chartered Tax Advisor, this course provides you with a sound grasp of the taxes and how all three interact and should be considered together when advising your clients in an easy to understand manner. Suitable for trainees, newly qualified solicitors, those changing specialisms, accountants, financial advisors or anyone requiring a refresher, this five-hour course promises to be a valuable investment of your time.

Topics covered include:

IHT:

- Principles of taxing estates, aggregable trusts and lifetime gifts
- Simple calculations
- Exemptions and reliefs including APR, BPR, Nil Rate Band, Residence Nil Rate Band
- Grossing up
- Valuation issues
- Lifetime exemptions and planning to minimise IHT
- Online resources from HMRC to help
- Anti-avoidance rules
- Key features of taxation of will trusts and lifetime trusts
- Variation of estates and trusts in two years post death

CGT:

- An introduction to CGT
- Lifetime gifts and on death
- Gains and losses in Estates
- Hold-over relief: some basics

Income Tax:

- An introduction to IT
- Allowances and rates
- Income of administration period
- The interaction of the three taxes
- Self-assessment principles
- Complex estates and trusts needing to register on the Trust Register

See www.clt.co.uk for dates

Tax Doesn't Have to be Taxing: A Masterclass **NEW**

6 A B

Masterclass

John Bunker

This is an advanced course which can either build upon our Certificate in Private Client Tax course, or act as a standalone for those confident in the basics who want to get into the nitty gritty of technical private client tax planning. This course addresses key issues around IHT and CGT planning in relation to mainstream private client work, particularly issues arising in estates and trusts.

Interactive and including case studies, it features many practical planning tips that should help you advise clients, including those inheriting residential properties or holding interests in trusts. Extended from a three-hour to a five-hour course by popular demand, this course is packed with content and discussion to make it an informative and unmissable day.

- IHT Residence Nil Rate Band (RNRB) basics including downsizing relief
 - Planning to maximise the use of RNRB and to mitigate the loss of RNRB for estates over £2m, looking at the crucial planning issues for spouses with RNRB.
- IHT Nil Rate Band Discretionary Trusts: exploring when and how to use NRB D/Ts as they make a 'comeback' due to RNRB; together with the effective use of exemptions and reliefs in lifetime and will planning.
- Transferable Nil Rate Band and the interaction with using the Nil Rate Band
- Lower rate (36%) of IHT if 10% of net estate to charity
 - Understanding the component parts, and merger of components, along with the great under-used potential of the lower rate.
- Deeds of Variation: planning issues around variations
 - including use of the Nil Rate Band & NRB D/Ts and the 36% rate
 - rearranging trusts within two years of death using s. 144
- CGT Main residence relief: the key rules and some planning issues arising
- SDLT: the 3% higher rate for additional properties & how it works
 - Planning issues, especially with estates (properties inherited) and trusts; how the charge interacts (or doesn't) with first time buyers' relief.
- Pensions death benefits: the tax rules
 - Planning issues arising alongside

£210 + VAT Package price

£300 + VAT CLT Members/£600 + VAT Non-members

See www.clt.co.uk for dates

BEST SELLER**The Older Client: A Masterclass**

Masterclass

Sheree Green

The implications of working with clients in the early stages of dementia, or vulnerable due to bereavement or other influences will be explored, with use of case studies and sample precedents. Ample opportunity will be given for questions and discussion, and the course will allow for thorough consideration of the relevant ethics and duties of the solicitor where issues of capacity and undue influence may arise.

Session 1: Lasting Powers of Attorney

Successful drafting and common pitfalls focusing on:

- Taking instructions
- Choice of attorneys
- Issues regarding joint, joint and several and replacement attorneys (*Re Boff* (COP) case 12338771)
- Use of restrictions, conditions and guidance
- Role of Certificate Provider
- Confidentiality & 3rd party involvement
- Duties to the attorney
- Concerns of financial abuse (*The Public Guardian v JM* [2014] EWHC B4 (COP))

Session 2: Statutory Wills

- Initial considerations
- Making the application including the draft will
- Respondent sensitivities (*Re AB* [2013] EWHC B39 (COP))
- Best Interests (*NT v FS* [2013] EWHC 684 (COP))

Session 3: Sharing a Home

Hoping for the best, yet planning for the worst.

- Informal arrangements (*JS v KB, MP* [2014] EWHC 483 (COP))
- Pooling to purchase
- Paying for the extension
- 'Move in to look after me, and the house will be yours' (*Bradbury v Taylor & Burkinshaw* [2012] EWCA Civ 1208)
- The role of the 'family solicitor'
- Drafting challenges
- Tax matters

Session 4: Gifts

- Minimising the risks
- Anti-avoidance
- Lifetime gifts from settlements (*Re JDS:KGS v JDS* [2012] EWHC 302 (COP) and *Re AK* (Gift Application) [2014] EWHC B11 (COP))
- 'De Minimis' (In the Matter of GM (Case number 11843118))

£210 + VAT Package price

£300 + VAT CLT Members/£600 + VAT Non-members

Manchester	<i>26 Sep</i>
Birmingham	<i>10 Oct</i>
London	<i>17 Oct</i>

Court of Protection and Lasting Powers of Attorney Update 2018

5 A

Update

Caroline Bielanska

This practical course updates on current issues and is aimed at those who advise or act as an attorney or deputy..

The course will cover:

- Reducing rejection of LPAs at registration
- Drafting to reduce abuse of LPAs
- Accurately identifying the limits on the attorney's authority
- Acting as a professional attorney: getting it right
- Court of Protection Rules 2017
- Case law update, including capacity and best interest decisions
- Calling in of the deputy bond
- Costs: getting paid, risks & retainer letters
- The Guardianship (Missing Persons) Act 2017

An excellent course which really brings the course notes to life

Manchester 11 Sep
Birmingham 19 Sep
London 9 Oct

Adult Safeguarding: A Practical Guide and Update

5 B

Intermediate

Susan Inker

Adult safeguarding work in the new Court of Protection centres is booming. This course is suitable as a grounding in the subject and also as a refresher and update for those already practising in it.

The course will cover:

- New Statutory Framework for Safeguarding under the Care Act 2014
- Safeguarding and Personalisation - Making Safeguarding Personal
- Safeguarding Process and Procedure
- Types and patterns of abuse and neglect
- Responding to abuse and neglect – what are the options ?
- Mental capacity and decision making: The Mental Capacity Act 2005
- The role of Court of Protection and Public Guardian
- The role of the Independent Mental Capacity Advocate (IMCA) and the new Independent Advocate under the Care Act 2014
- Introduction to the Deprivation of Liberty Safeguards
- Legal aid and the Court of Protection
- Human Rights Act 1998
- New Duty of Candour
- Recent case law developments

London 1 Oct

Certificate in Court of Protection Practice

5 A B

Intermediate

Caroline Bielanska

Suitable for newly qualified solicitors, those returning after a career break or those private client lawyers who need to offer a service to clients in order to meet the demand for Court of Protection applications, this course covers everything from marketing and practice opportunities, to sample forms and a case law update.

Delegates will leave with the skills to tackle the range of applications with confidence.

The SRA Competency Statement area A says that solicitors should maintain an adequate and up-to-date understanding of relevant law, policy and practice and Area B looks at technical legal practice including drafting documents which are legally effective and states that solicitors should plan, manage and progress legal cases and transactions. With this in mind, plus the fact that a large proportion of applications submitted to the Court of Protection contain errors, this course has been designed to help you eliminate these errors.

This course helps achieve competency by covering the following areas in easy to understand detail:

- Basic applications and wider applications
- The court's jurisdiction and functions of the office of public guardian
- When to apply to the court for a welfare/financial decision
- The application and procedure for the appointment of a deputy
- The application and procedure for single orders
- Sale and purchase of property
- Trustees' applications
- Gifts, settlements and statutory wills
- Making decisions as a deputy
- Making the most of state support
- Getting paid

London

12 Sep

Statutory Wills from Start to Finish

3 B

Intermediate

Simon Hardy

A statutory will can be a useful tool where a client has lost the mental capacity to make a will in the usual way but their circumstances are such that a will is required. These circumstances could include scenarios such as where the client has no existing will and the intestacy rules do not provide a desired outcome, or where there is an existing will but this needs updating due to a change in circumstances like the estate growing or reducing in value, or for tax planning purposes.

This half day course will give you all the information you require to decide whether a statutory will is needed at all and the procedure involved in obtaining one. Full of drafting hints and tips, as well as reference to recent case law, this course is a must for anyone involved in the statutory will application process.

Points covered will include:

- Initial considerations, is a will needed?
- Making the application including the draft will
- The mentally incapacitated client – do they have a role?
- Best interests and section 4 Mental Capacity Act 2005 considered
- Recent case law analysis

York 11 Sep pm
Birmingham 8 Oct pm

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CLTA10817

Mediation at the Court of Protection for Mediators

6 B C

Intermediate

Craig Ward

This course is aimed at practitioners who already have a mediation qualification. It aims to alert them to the key issues when running a mediation involving vulnerable adults or where adults lack mental capacity to decide for themselves.

Mediations with vulnerable adults or with someone who lacks capacity are mostly about safeguarding and also ensuring decision-making is taken by an authorised person in the Donor/P's best interests. Where someone lacks capacity, there is the necessity to closely follow the Mental Capacity Act and ensure their involvement in the mediation process.

The course is based on the work conducted by Braun [2013] who amalgamated several pieces of research on training mediators; ACR Training (2002), Ward (2009) and EGN Report (2012) to produce a training template. The day ends by going through a vulnerable adult mediation.

The course aims to examine the following topics:

- The psychology of decision-making in later life
- Vulnerable adult mediations law
- Theories of ageing
- Understanding mental capacity
- Recognising abuse
- Mediation ethics
- Running a vulnerable adult mediation

Sheffield	19 Sep
London	3 Oct
Birmingham	14 Nov

Mediation at the Court of Protection for Non-Mediators

3 B C

Foundation

Craig Ward

This course is aimed at practitioners who are not themselves mediators, but practice in areas involving elderly clients and individuals lacking mental capacity. The course aims to alert them to when a vulnerable adult mediation may be suitable, what happens at a vulnerable adult mediation, together with their involvement in the process.

Mediations with vulnerable adults or with someone who lacks capacity are mostly about protecting a vulnerable adult's interests and also ensuring decision-making is taken by an authorised person in the Donor/P's best interests. Where someone lacks capacity, there is the necessity to closely follow the Mental Capacity Act and ensure their involvement in the mediation process.

The course will aim to cover the following topics:

- Varieties of elder mediation
- Pre-mediation interviews
- Party and family dynamics
- Mediating with and without mental capacity
- Applying the Mental Capacity Act 2005
- Spotting elder abuse
- Managing vulnerable adults' needs

Sheffield	20 Sep am
London	4 Oct am
Birmingham	15 Nov am

Residential Property: An Intensive Introduction for Qualified Practitioners

6 B

Foundation

Lorraine Richardson

This intensive and practical course is aimed at those qualified practitioners looking to change practice areas (for example, due to Legal Aid cuts) or for those returning after a career break. No prior knowledge of conveyancing (residential or otherwise) is required!

The course will provide a practical overview of residential conveyancing and the pitfalls which may occur on a daily basis in today's market including:

- An overview of the conveyancing transaction
- Identifying your client and the source of funds – why this is your responsibility
- Review of searches available in the market – online or paper based?
- Conveyancing Quality Scheme – what is it all about?
- The Protocol and the new forms
- Key risk areas – CML and your duty to the lenders
- What is SDLT? how does it differ from Stamp Duty?
- Standard Conditions of Sale (5th edition)
- Changes in Land Registry practice – where did office copies go?

The course is supported by clear flowcharts of the residential conveyancing process.

London

8 Oct

Handling the Average Money Divorce

5 B C D

Foundation

Mena Ruparel

Make the most of limited resources and resolve cases quickly and effectively.

This course takes you through the whole process of dealing with a financial remedy case from the preparation of the Form E, analysis of the 'usual' financial disclosure, through to preparing the negotiation correspondence to try to settle the case.

This course will include:

- How to fund the average case post LASPO
- How and when to use voluntary disclosure, mediation, collaborative law and arbitration
- How to manage the client's expectations from first instruction onwards
- How to apply Section 25 Matrimonial Causes Act criteria
- Analysing financial disclosure
- How to identify and narrow issues prior to the First Directions Appointment
- Instructing experts; property and pension valuations
- Approaches for dealing with pensions and maintenance
- Negotiation handling

This course is designed for any practitioner in their first few years of family work.

Birmingham

12 Sep

London

7 Dec

Masterclass in Unmarried Couples, Separation and TOLATA Claims



Intermediate

Olivia Murphy and Gerald Wilson

This day will provide you with a comprehensive guide to TOLATA claims in the context of family work to meet the challenges of this difficult area. Unfamiliarity with Civil Procedure Rules, costs, the risk of taking claims to court and difficulties with quantification are just some of the issues that practitioners face.

Property fundamentals:

- Declarations of trust
- MPPA 1970
- Priority of interests, occupiers and overreaching
- Land Registry

Sole ownership and joint ownership claims:

- Claims against a sole owner and claims between co-owners
- Displacing express agreements
- Proprietary estoppel

Negotiating a settlement:

- Assessing the case
- Quantifying the claim
- Negotiating
- Drafting

Remedies:

- Buy-out, sale and postponement of sale
- Equitable accounting
- Occupational rent
- Mortgage payments

Interaction with other claims:

- Schedule 1 CA 1989
- Inheritance Act 1975
- Money claims
- Life policies, credit card debts and possessions
- Claims between married couples
- Third party interests
- Creditors, insolvency and confiscation orders

Practice and Procedure:

- Pre-action steps
- Making the claim
- Evidence and disclosure
- The hearings
- Tactics and procedural considerations
- Part 36, settlement and costs orders
- Costs management

Cohabitation Agreements and Declarations of Trust:

- Law, practice and drafting tips

£210 + VAT Package price

£300 + VAT CLT Members/£600 + VAT Non-members

London

3 Oct

Charity Land Transactions

3 B

Advanced

Jane Lonergan

This course looks at the obligations and requirements which apply on the acquisition, mortgage or disposal of land where charities are involved. It is suitable for all who advise charities or the parties who deal with them.

The course covers the Charities Acts of 1993 and 2006 and the consolidating legislation in the Charities Act 2011 and will look at:

- Charities - introduction for property lawyers
- Disposals by a charity and ss.117-121 Charities Act 2011
- Mortgages by a charity and ss.55, 124-126 Charities Act 2011
- Acquisitions by a charity
- Commercial leases generally and specific issues for charities
- Official custodian for charities – s.122 certificates
- Some common issues, including title issues

*A very knowledgeable presenter
and very engaging course*

London

3 Oct pm

The Role and Duties of the Charity Trustee **NEW**

3 A B

Foundation

Mark Cardale

A new focus has been thrown on the role of the charity trustee, and the duties and responsibilities placed on charity trustees, by the powers granted to the Charity Commission in the Charities (Protection and Social Investment) Act 2016 and by some high profile failures, including Kids Company in 2015. A new regime for charity fundraising has also been established in the wake of the 2016 Act.

This half-day course will be of interest and benefit to all those advising charities and their trustees, trustees themselves, and chief executives and other professionals working within charities.

The course will consider:

- Eligibility to become a charity trustee, and the levels of care and skill legally required of trustees
- Legal duties of trustees, and differences which may arise from the form in which the trust is constituted
- Duty to fulfil the charity's purposes for the public benefit, fiduciary duties and duties of loyalty, responsibilities for financial management and the maintenance of reserves
- Further duties of accountability, reporting, the protection of charity property, risk management and succession planning
- Governance and codes
- Rules on social investment and to fund-raising

London

26 Nov am

Webinar Highlights

One hour webinars are the perfect way of expanding expertise and supplementing face-to-face training. To see our full range of webinars visit www.clt.co.uk/webinars

B

Intermediate

Care Services and People from Abroad

Alan Robinson

The webinar surveys the case law which has led to the present scheme, and plots a way through the complexities of the different forms of provision both for adults and for children.

A B

Update

Court of Protection 2018 Update

Patricia Wass

This webinar examines the case law and guidance on this hot topic, which will enable you to advise your clients as to their responsibilities as attorneys as well explaining to donors what gifts their attorneys can or cannot make under an LPA. The webinar will also provide a case law update.

B

Intermediate

Funding Care and Support

Caroline Bielanska

Following the introduction of the Care Act 2014, the way care is funded has changed and up to date knowledge of the system is crucial for those providing advice to clients requiring care and support whether in their own home or elsewhere. Clients seeking advice are doing so at what is often a vulnerable time in their lives and a confident adviser can make all the difference to their experience. Expert Caroline Bielanska takes you through the important parts of the process that you need to know.

B

Intermediate

When things go wrong: Complaints to Social Services and the Legal Ombudsman

Caroline Bielanska

Sadly, you will sometimes have clients who need to complain about the social care services they have received. This webinar looks at making complaints to social services and the LG Ombudsman. Caroline Bielanska gives tips to give you the best chance of securing a positive resolution for your clients.

A

Update

Essentials: What's New in Wills and Probate 2018

Lesley King

This webinar offers an update on the very latest developments in wills and probate. It will provide you with a practical digest of recent and upcoming case law, key changes to legislation and other events of relevance to both you and your clients.

A B

Update

Contentious Probate Case Round-Up 2018

Edward Hewitt

Join our expert, Edward Hewitt, for an exploration and practical digest of recent and upcoming case law in the contentious probate arena. Cases covered will include *Gupta v Gupta*, *James v James*, *Thompson v Raggett* and *Payne v Payne*.

A B

Intermediate

Just Giving: Part One

Lesley King

Suitable for all those involved in providing estate planning advice to clients and of particular use to trainees and newly qualified solicitors.

Inheritance tax tends to be the main driver for making lifetime gifts but there are a number of other points that need to be considered. In the first of a two part series, Professor Lesley King studies the points that advisers should give thought to when lifetime gifting is being considered.

A B

Intermediate

Just Giving: Part Two

Lesley King

Suitable for all those involved in providing estate planning advice to clients and of particular use to trainees and newly qualified solicitors.

In the second of the two-part series, Professor Lesley King examines the various points that need to be considered when making lifetime gifts with a view to reducing or eliminating the amount of inheritance tax payable on their death.

D

Foundation

Risks Associated With Estate Administration

Nicholas Beetham

Probate work can be a lucrative activity for those who undertake it but there are many risks involved and problems that can arise along the way. To be a successful probate practitioner, knowledge of these risks and how to manage them or, preferably, avoid them is crucial.

A B

Intermediate

Tax Planning with Entrepreneurs' Relief

Stephanie Churchill

In this era of blurred lines between tax evasion and tax avoidance, and an apparent willingness of courts to find in favour of HMRC, it is a difficult time to be an advisor providing tax planning advice. In this informative webinar, our expert, Stephanie Churchill, considers the current environment surrounding entrepreneurs' relief (ER) and what planning opportunities still remain.

A B

Advanced

All About Domicile

Stephanie Churchill

If you regularly advise non-UK domiciled clients, this important webinar is for you!

Our expert discusses the changes introduced by the Finance Act 2017 relating to the tax treatment of non-UK domiciled clients to ensure that not only are you up to date with the changes to advise your clients correctly, but also that you comply with Area A of the SRA Competence Statement by keeping up to date with relevant law.

A B

Advanced

Farming Clients: RNRB and Other Issues

Lesley King

There are opportunities for estate planning for farming clients (if they can be persuaded to pay for it).

The RNRB has been a hot topic for the last 12 months, but this webinar looks at in the context of farming families together with other issues of relevance to will drafting and estate planning.

Management and Personal Skills Training

Management and Strategy

For those new to management responsibilities or looking to deepen their understanding of law firm management and strategy.

12 C D Advanced

Two Day Law Firm Management Masterclass

Bristol 10 - 11 Sep
London 5 - 6 Dec

6 C Foundation

Management Course Stage 1

London 13 Sep
Birmingham 11 Oct

6 C D Advanced

Management Course Stage 2

London 8 Nov

Client Care

Courses that equip lawyers to keep existing clients happy.

3 A C D Foundation

Effective Complaints Handling

London 6 Nov pm

Project Management

Key skills to enable you to manage work effectively.

6 B D Intermediate

Project Management for Transactional Lawyers

London 26 Sep

6 C D Foundation

Case Analysis and Project Management for Junior Litigators

London 3 Oct

People Management

Courses to help staff at any level understand how to support and manage team members.

6 D Intermediate

Performance Management in Legal Practice

London 11 Sep

6 D Intermediate

Managing and Motivating People

Sheffield 19 Sep
London 16 Oct

6 D Intermediate

Supervision: Essential Skills for Lawyers

London 16 Oct

6 B Update

Performance Management and Capability Procedures: Making Them Work

London 29 Nov

Financial Management

Ensure your firm's finances are well-managed.

5 C Intermediate

SRA Accounts Rules: Achieving Compliance

Birmingham 3 Oct
London 22 Oct

6 A Foundation

Understanding and Interpreting Company Accounts

London 6 Nov

6 D Intermediate

Pricing, Performance and Profitability

London 21 Nov

Compliance

Practical courses that will help you and your firm stay on the right side of SRA and general business regulations.

6 **A** Foundation

COLPs, COFAs and Managing Compliance 2018

Bristol 12 Sep
Newcastle 19 Sep

6 **A** Update

Money Laundering Compliance for Solicitors

London 26 Sep
Newcastle 3 Oct
Leeds 9 Oct
Southampton 16 Oct

5 **A** Intermediate

Conflicts and Confidentiality in Law Firms

London 20 Nov

6 **B** Foundation

An Introduction to Data Protection and GDPR

London 13 Sep, 22 Nov
Bristol 6 Nov
Leeds 4 Dec

3 **B** **D** Foundation

Data Protection: Conducting a Data Audit

London 16 Oct am

3 **B** **C** Foundation

Data Protection: Privacy Notices, SARs, Consent and More

London 16 Oct pm

3 **A** Intermediate

Data Protection and GDPR for the Compliance Officer

London 12 Nov pm

6 **B** **C** **D** Intermediate

Duties of the Data Protection Officer

London 14 Nov

3 **A** Update

Data Protection and GDPR Update 2018

Bristol 16 Nov pm
Derby 27 Nov pm
London 30 Nov pm
Leeds 12 Dec pm

For In-House Lawyers

Courses designed to help in-house lawyers develop and succeed in their careers.

3 **A** **B** Intermediate

Anti-Bribery Strategies for Business: Applying the Law in Real Life Situations

See www.clt.co.uk for dates

6 **C** **D** Foundation

The Successful In-house Lawyer

London 25 Sep

6 **C** **D** Advanced

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