
Framework of Standards for Magistrate Training and Development

March 2006



Judicial Studies Board

Contents

Introduction	3
How can the Framework help you?	3
Development of the Framework	3
Aims of the Framework	5
Layout	5
Using the Framework	6
Further information	6
Stage 1: Identification of training needs – guidance notes	7
Stage 2: Design of training solutions – guidance notes	9
Stage 3: Delivery of training solutions – guidance notes	15
Stage 4: Applications of training in the court environment – guidance notes	18
Stage 5: Evaluation of training solutions – guidance notes	19
Appendices – Standards templates	21

INTRODUCTION

This framework of standards is designed for use by all those who identify, commission, design, deliver and evaluate magistrate training. This will include Magistrates' Area Training Committees (MATCs), Bench Training and Development Committees (BTDCs), justices' clerks (JCs) with responsibility for training, trainers/facilitators, training managers and the Judicial Studies Board (JSB). It is designed to support good practice and assure those involved in training that training solutions are designed and delivered effectively.

It is accepted that training is not the only form of learning and development that is available to magistrates. For example, some training needs may be best met by self-study, reading books and research. However, the framework specifically applies to training solutions, e.g. face to face training (including conferences/seminars/workshops), open learning and e-learning.

HOW CAN THE FRAMEWORK HELP YOU?

The framework is designed to help anyone who works on any aspect of magistrate training. If you are involved in magistrate training, it will:

- Keep you abreast of good practice in all aspects of training.
- Help you identify improvements.
- Turn improvement plans into action.
- Produce better results from magistrate training.
- Provide a common basis for discussions of training performance and outcomes.
- Help you to achieve the highest standards for magistrate training.

The framework can also help you to:

- Know what good practice looks like.
- Self-assess all aspects of magistrate training in which you are involved.
- Promote consistency and quality for all magistrate training (local and national).

The framework will help those involved with magistrate training to understand the systematic approach to the design and delivery of training. It sets out good practice for each stage in the training cycle from identifying training needs through to evaluating the effects of the training on meeting those needs. Depending on the role in the training process, individuals, groups or committees may need to use any or all of the standards contained in the framework.

The framework (which is adapted from national occupational standards for training and development) is a practical tool for developing and improving the training of magistrates and for adopting a systematic approach to the training process.

DEVELOPMENT OF THE FRAMEWORK

This framework is an integral part of the drive to improve training for magistrates that began with the introduction of the Magistrates National Training Initiative (MNTI) in 1998, subsequently revised in 2003. The framework forms the first tier of a three-tier strategy for the monitoring and evaluation of magistrate training.

These three tiers are:

- Setting minimum standards for training.
- Local self-assessment of magistrate training, using a range of guidance and tools provided by the JSB's monitoring and evaluation team (the M&E Team).
- Critical evaluation of all aspects of the training process by the M&E Team.

Minimum standards

It is important to have minimum standards for training so that the JSB can:

- Assure the Lord Chief Justice that magistrates receive effective training.
- Ensure that the training meets the needs of magistrates and is an effective use of their time.
- Foster consistency in magistrate training.
- Demonstrate that the resources applied to magistrate training are used effectively and efficiently.
- Support the continuing improvement of magistrate training.

The standards apply to all magistrate training, both locally **and** nationally developed, including individual training and any provided by external organisations, other criminal justice agencies, etc. Those who commission local training from external sources, other agencies etc should ensure that external providers are aware of the minimum standards required for the design and/or delivery of magistrate training.

Local self-assessment

The M&E Team will provide MATCs, BTDCs, JCs and trainers/facilitators with guidance and tools to help carry out the self-assessment process. This will include:

- Information on best practice.
- Guidance and example templates and pro-formas for carrying out evaluations.
- Guidance on recording and reporting the effectiveness of training activities.

MATCs will provide reports of local self-assessment results to the JSB. The reports will be used to inform MATCs and the JSB about areas for development and aspects of best practice that can be shared. The reports will also help the M&E Team to prioritise elements to be covered in their evaluation visits.

It is the responsibility of the justices' clerk with responsibility for training of magistrates to:

- Assess the quality of local training design and local training delivery, using the minimum standards in the framework.
- Give all support necessary to ensure those who design and deliver training reach and maintain the minimum standards. If there are difficulties in reaching and maintaining the minimum standards, help and support from the M&E Team may be useful in identifying solutions and development activities for training staff.

Evaluation by the M&E Team

The M&E Team will support MATCs, BTDCs, JCs and trainers/facilitators in their role as self-assessors by evaluating all aspects of the training process in each area of Her Majesty's Courts Service (HMCS). They will also identify, with MATCs, BTDCs and local training staff, good training practice and areas for improvement.

The M&E Team will achieve this primarily through a programme of visits to HMCS areas. Discussion of the self-assessment data, sharing good practice, action planning and review will also form part of the visits, and the JSB will support MATCs, BTDCs, JCs and trainers/facilitators in carrying out improvement activity. The M&E Team will produce evaluation best practice guidance to support areas.

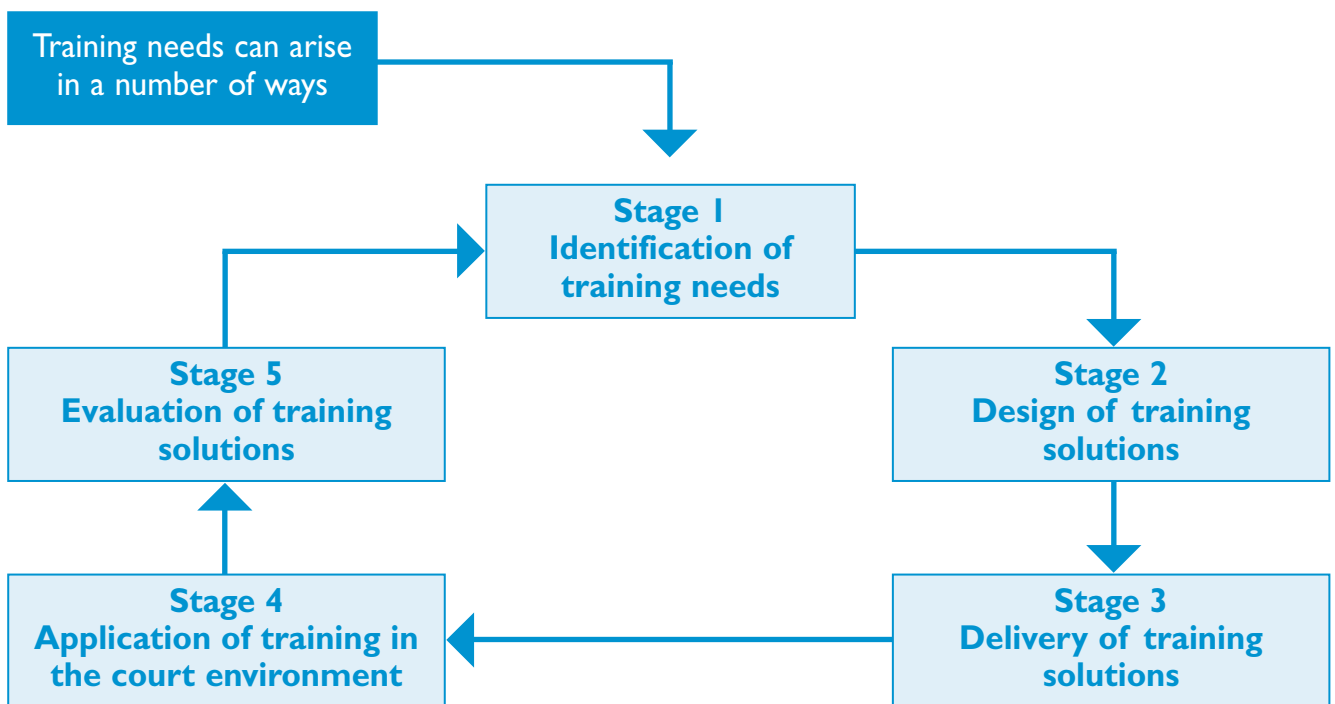
AIMS OF THE FRAMEWORK

This framework, with the resources and information that complement and support it, provides:

- Guidance for training personnel on the minimum standards to apply to ensure training is effective.
- Guidance for magistrates sitting on MATCs and BTDCs on the minimum standards to expect from the training for which they are responsible.
- A benchmark against which aspects of the evaluation of training may be carried out.
- Guidance for those who plan and review training.

LAYOUT

The framework is in five sections, which represent the key stages within the training cycle. Each stage is an essential part of a cyclical and continuing process and represents the core minimum standards for training interventions. Each stage in the process is dependent upon the previous stage; successful training and, by implication, successful outcomes are dependent upon each stage being carried out effectively. The training cycle is illustrated below.



By going through this cycle, those involved with training can be more confident that they have taken all the relevant factors into account and that planned training is based on firm foundations. For each of the five stages there are:

- Standards and guidance – explaining how and in what ways the standards for training can be met.
- Standards templates – to help record evidence of how the standards have been met.

USING THE FRAMEWORK

The framework provides a benchmark against which all training will be evaluated. It should be used by:

- MATCs, BTDCs, and the JSB – who have responsibility for providing training for magistrates.
- JCs, legal advisers, trainers/facilitators and training managers – who are accountable for the identification, design, delivery and evaluation of training for magistrates.

All those involved in the training of magistrates should be aware of the standards that apply to their contribution to the training provided. The M&E Team will use the standards as the benchmark when evaluating all magistrate training.

When using this framework in practice:

- Refer to the training cycle on page 5.
- Identify which stages apply to the appropriate role(s).
- Consider the standards within each appropriate stage – they are the statements in bold type in each standards template.
- Read the guidance notes for each of those stages and consider the supporting bullet points for each standard.
- Consider what evidence may be used to demonstrate meeting the standards.
- Consider how individuals contribute to the training so that the standards are met.

As an aid, examples are given of the ways in which the standards can be demonstrated. However, the guidance is not exhaustive and other examples may be used to demonstrate how the standards have been met.

Remember that there are no hard and fast rules for using the standards.

Guidance notes

The templates provided may be used, if appropriate, as a valuable record of how the standards have been met. Guidance notes on the use of the templates are provided at Appendix 1.

Frequently asked questions

To assist in the use and application of the standards, there is a list of frequently asked questions (FAQs) at Appendix 7.

FURTHER INFORMATION

For further advice on how the framework might be used in the identification, design, delivery or evaluation of training in a particular court or setting, contact the M&E Team on 0113 200 5120.

Judicial Studies Board
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Stage I: Identification of training needs – guidance notes

OVERVIEW

This initial stage of the training cycle is concerned with finding out if there is a training need, and if so, who needs training and in what. This is important because learners, and trainers/facilitators learn and train better when they understand the context of the training provided, particularly in terms of the organisational need. The standard will help those who identify training needs to consider why the training is required and what is expected from it.

POSSIBLE TRIGGERS THAT COULD CAUSE A TRAINING NEED

- JSB Minimum Training Requirements.
- Legislative change, e.g. new procedures or changes to the law. This could include the impact of the Criminal Justice Act 2003, the Adoption and Children Act 2002 and induction requirements for magistrate training.
- Local need, e.g. fines enforcement, effective case management, diversity awareness.
- Technological need, e.g. using video links between magistrates' courts and prisons.
- Feedback from evaluation of current training.
- Needs identified after complaints about competence have been investigated.
- Identification of need at local bench events, e.g. panel meetings, meetings with mentors and appraisers.

Note that this list is not exhaustive and there may be other triggers not mentioned here.

WHO SHOULD REFER TO THESE STANDARDS?

This stage applies if the person's role involves:

- Identifying training needs at local or national level.
- Designing training programmes at national or local level.
- Working out what resources are needed to deliver the training.
- Helping learners to choose an appropriate training programme.

This is likely to involve:

- MATCs.
- BTDCs.
- JCs with training responsibility.
- Training managers.
- Trainers/facilitators.
- The JSB magistrate training and development team.
- Magistrates working on training project teams.

WHAT ARE THE MINIMUM STANDARDS?

The minimum standards required when identifying training needs are outlined below.

	MINIMUM STANDARDS REQUIRED	ADDITIONAL GUIDANCE
I	<p>The need for the training has been clearly and accurately identified</p> <p>a) It is clear who identifies and decides on the training need.</p> <p>b) It is clear how training needs are identified and analysed.</p> <p>c) Training needs at individual and group level have been identified.</p> <p>d) There is a clear indication who the training is for.</p> <p>e) The success criteria for the training are clearly identified.</p> <p>f) The source of the identification of the training need is clear and unambiguous.</p>	<p>Local, individual needs are identified locally.</p> <p>Evidence that the standard has been met may be included in:</p> <ul style="list-style-type: none"> • Training plan and policy documentation, e.g. Area Training Plan, training needs identification forms. • MATC, BTDC minutes of meetings. • Training Needs Analysis (TNA) documentation. • Minutes of meetings of trainers/facilitators forum. • Trends identified through the appraisal and mentoring process. • Post-sitting review analysis. • Questionnaires and evaluation feedback returns. • External quality accreditation, e.g. Investors in People (IIP), National Training Awards.

A standards template is provided (Appendix 2) which may be used, if appropriate, as a checklist to identify how the standards have been met.

EXAMPLES

Criminal Justice Act 2003

For the national training in this case:

- The JSB identified the overall training need, from the new rules in the legislation, which were for magistrates to be able to apply the new sentencing provisions correctly.
- The JC (prior to MATC formation) determined the local training needs.
- The training was aimed at all magistrates.
- The success criterion was identified as all magistrates having completed the training by April 2005. By studying all evaluation forms, it was confirmed that all magistrates were satisfied that the training met their immediate needs.

Voice projection

For the local court training in this case:

- BTDCs reported that a number of individuals had a need for further training on voice projection. This was identified through individual appraisals and raised by a number of bench members at local bench meetings.
- The need was documented on individual appraisal forms and in minutes of the Bench Committee and BTDC meetings.
- Training was aimed at those taking the chair.
- Measurable success criteria were identified by using the *Adult Court Competence Framework for Chairmen*.

Stage 2: Design of training solutions – guidance notes

OVERVIEW

This stage of the training cycle covers the planning, design and development of all magistrate training and aims to ensure that a systematic and consistent approach is adopted for all training solutions. The training solutions covered by this stage include:

- Face to face training including conferences, seminars and workshops.
- Open and flexible learning, including e-learning.

WHO SHOULD REFER TO THESE STANDARDS?

This stage applies if the person's role involves:

- Designing training programmes at local or national level.
- Identifying and choosing training options to meet learners' needs and developing the detailed content of programmes at local or national level.
- 'Critically reading' the training materials.

This may include:

- JCs with training responsibility.
- Training managers.
- Legal advisers with training responsibility.
- Other trainers/facilitators.
- JSB project team members.
- Critical readers.

Critical readers are identified by the person responsible for the training, as having the skills, knowledge and experience to read the training materials critically to validate the technical content of the training, such as points of law or application of rules. They also ensure that material is fit for purpose in all aspects, e.g. presentation is consistent, correct grammar is used, training techniques used are appropriate and material is suitable for magistrates.

For locally developed training, the identification of people suitable to act as critical readers and numbers required is a local pragmatic decision. For example, if training materials are developed by one legal adviser, the critical reader may be a different legal adviser, the justices' clerk, a trainer/facilitator or an experienced magistrate.

Note that for JSB nationally developed training, this stage will apply to local training staff **only** if the national training is amended locally.

WHAT ARE THE MINIMUM STANDARDS?

The minimum standards required when designing training solutions are outlined below.

MINIMUM STANDARDS REQUIRED	ADDITIONAL GUIDANCE
<p>1 There is a clear introduction to the training materials</p> <ul style="list-style-type: none"> a) It indicates the aim and purpose of the training. b) It defines the expected target audience and any pre-training requirements. c) It sets out the expected outcomes of the training. d) It indicates the context in which the training is to be applied. e) It clearly signposts the training points for the learner. f) It gives clear instructions for use of the training materials. 	<p>The term 'aim' means the high level overview of what the training is to achieve. This is not to be confused with the 'objectives' for the training (see standard 2 below).</p> <p>An example of an aim in MNTI 2 (Module 1: A magistrate's training and development) is: 'To provide an overview of the training and development framework for magistrates.'</p> <p>Evidence that the standard has been met may be included in:</p> <ul style="list-style-type: none"> • Comments from critical readers. • The final version of the training materials. • Local evaluation data, e.g. reaction questionnaires.
<p>2 There are clear training objectives</p> <ul style="list-style-type: none"> a) The objectives relate to the identified training need. b) The content relates to the objectives. c) The objectives are measurable and contain a 'criterion, performance and condition'. 	<p>'Training objectives' are descriptions of the performance and/or behaviours that the learners are to demonstrate at the end of the training. The objectives are the specific, measurable outcomes of the training. 'Objectives' are not to be confused with the 'aim' (see standard 1 above).</p> <p>The characteristics of a useful objective (<i>Preparing Instructional Objectives: Robert Mager</i>) are:</p> <ul style="list-style-type: none"> • Performance (what the learner is able to do), e.g. list five items, complete a role play. • Condition (important condition under which the performance is expected to occur), e.g. without referring to handouts, with reference to notes. • Criterion (the quality or level of performance that will be considered acceptable) – this may be in terms of speed, accuracy or quality. <p>An example of a measurable objective in MNTI 2 (Module 1: A magistrate's training and development) is:</p> <p>'By the end of the session, delegates will be able to summarise accurately, using notes, the three core competences required of a magistrate.'</p> <p>The criterion in this example is 'accurately', the performance is 'summarise the three core competences required of a magistrate' and the condition is 'using notes'.</p>

MINIMUM STANDARDS REQUIRED		ADDITIONAL GUIDANCE
		Evidence that the standard has been met may be included in: <ul style="list-style-type: none"> • Comments from critical readers. • The final version of the training materials. • Local evaluation data, e.g. reaction questionnaires.
3	<p>The structure of the training materials is logical and easy to follow by the trainer/facilitator and/or learner</p> <p>a) Guidance on the expected time to complete the training has been given.</p> <p>b) Where the training materials consist of different modules, the connection between each module is made clear.</p> <p>c) Instructions are clear to the trainer/facilitator and/or the learner.</p>	Evidence that the standard has been met may be included in: <ul style="list-style-type: none"> • Comments from critical readers. • Final version of the training materials. • Reviewing data, e.g. any records of discussions or feedback notes. • Local evaluation data.
4	<p>The content of the training materials is relevant</p> <p>a) The content relates to the identified training need.</p> <p>b) The content relates to the objectives.</p> <p>c) The appropriate experts/critical readers have seen and approved the content as technically correct.</p>	Evidence that the standard has been met may be included in: <ul style="list-style-type: none"> • Comments from critical readers incorporated into the final training materials. • Final version of the training materials. • Reviewing data. • Local evaluation data.
5	<p>The training materials meet all equal treatment and diversity guidelines</p> <p>a) No discriminatory language or imagery is used.</p> <p>b) Stereotypes are avoided.</p> <p>c) There is an appropriate race and gender mix within examples and case studies.</p> <p>d) The training is free of sensitive issues unless relevant to content.</p>	Additional guidance about equal treatment and diversity may be found in: <ul style="list-style-type: none"> • MNTI 2 Core Training Materials (Section 2) • Magistrates' Association <i>All Manner of People</i> training pack. Evidence that the standard has been met may be included in: <ul style="list-style-type: none"> • JSB's Equal Treatment Advisory Committee (ETAC) correspondence. • MNTI 2 Core Training Materials. • Comments from critical readers. • Final version of the training materials. • Local evaluation data.

MINIMUM STANDARDS REQUIRED	ADDITIONAL GUIDANCE
<p>6 The language used in the written training materials is clear</p> <p>a) Active voice verbs are used – passive voice is kept to a minimum.</p> <p>b) New terms are defined at first mention.</p> <p>c) Use of acronyms is kept to a minimum and defined at first use – list of abbreviations and acronyms included if appropriate.</p> <p>d) Language is jargon free.</p>	<p>Active and passive voices relate to the structure of sentences. Using the active voice is what people use in conversation, is less ‘wordy’ and makes the meaning clear. The passive voice usually means more words are used and can cause confusion with the meaning.</p> <p>An example of this, from the Plain English Campaign website is:</p> <ul style="list-style-type: none"> • ‘It is usual to experience difficulty in writing in plain English’ – passive voice. This can appear dull and bureaucratic in tone. <p>However, when the statement is in the ‘active voice’, namely:</p> <ul style="list-style-type: none"> • ‘It is difficult to write in plain English’, the meaning becomes clearer and more lively. <p>Using an ‘active voice’ makes a sentence, and therefore the message, clearer and more emphatic.</p> <p>Additional examples are:</p> <p>‘The report should be completed and submitted to the JSB’ – passive.</p> <p>The justices’ clerk should complete and submit the report to the JSB’ – active.</p> <p>‘The defendant was sentenced to three months imprisonment by the magistrates’ – passive.</p> <p>‘The magistrates sentenced the defendant to three months imprisonment’ – active.</p> <p>Evidence that the standard has been met may be included in:</p> <ul style="list-style-type: none"> • Comments from critical readers. • Final version of the training materials. • Reviewing data. • Local evaluation data.

	MINIMUM STANDARDS REQUIRED	ADDITIONAL GUIDANCE
7	<p>There is appropriate interaction in the training materials</p> <p>a) A variety of training methods and approaches are used to facilitate learning.</p> <p>b) All questions are effective (varied, linked to training points, in context, answers in training materials clear and unequivocal).</p> <p>c) Case studies, role-play and exercises are all suitable (relevant, credible, up to date, in context, varied).</p>	<p>The term 'training methods' includes methods such as:</p> <ul style="list-style-type: none"> • Pre-course reading. • Small group and syndicate work. • Brainstorming. • Case studies. • Plenary sessions. <p>This list is not exhaustive.</p> <p>Evidence that the standard has been met may be included in:</p> <ul style="list-style-type: none"> • Comments from critical readers. • Final version of the training materials. • Local evaluation data.
8	<p>The training has been subject to an effective review and/or developmental test</p> <p>a) The training has been tested on a typical audience.</p> <p>b) Modifications have been discussed and agreed with the review group and/or appropriate experts.</p> <p>c) The required improvements have been made to the training.</p> <p>d) If the training has not been reviewed with a typical audience, there are valid reasons for this.</p>	<p>Review is where the event is tried out (as appropriate) on a typical audience. A developmental test is where tutors or other experts try out material, e.g. an open learning workbook. A review or developmental test may not be applicable, or practical, in every case, e.g. a single training event for a small target audience, and a pragmatic approach needs to be taken. However, where it is not carried out, the reasons for the non-completion and agreement of the person responsible for the training (see 9 below) must be established.</p> <p>Evidence that the standard has been met may be included in:</p> <ul style="list-style-type: none"> • Feedback notes. • Review or developmental test documentation, e.g. comment sheets, record of amendments. • Documentation detailing the reasons and agreement for the non-completion of a review/developmental test.
9	<p>The training materials have been 'signed-off' as fit for purpose</p> <p>a) Approval has been obtained from those with responsibility for the training that the training is 'fit for purpose'.</p>	<p>The term 'those with responsibility for the training' means:</p> <ul style="list-style-type: none"> • The JSB's Magisterial Committee or its nominees – for training materials designed by the JSB. • Local arrangements, e.g. JCs, local trainers/facilitators' forums – for training materials designed locally.

	MINIMUM STANDARDS REQUIRED	ADDITIONAL GUIDANCE
		<p>The person who 'signs-off' the training materials would not normally be the same person who developed the training. If the developer and person responsible for the training are the same person, then a different person should be designated as the person responsible for the training.</p> <p>Evidence that the standard has been met may be included in:</p> <ul style="list-style-type: none"> • Feedback notes. • 'Sign-off' documentation. • Meeting minutes.

A standards template is provided (Appendix 3) which can be used as a checklist to identify how the standards have been met. An example case study for this stage is provided below.

EXAMPLE

Case management training for magistrates 2003

For the locally designed training in this case:

- The training materials had a clear introduction and set out the aim. This was to develop the confidence and skills of magistrates to deal assertively and effectively with requests for adjournments.
- The training materials had five objectives, each containing the criterion, performance and condition required to meet the individual objectives, e.g. 'By the end of this course, participants will in relation to adjournment decisions and with reference to their notes, be able to explain correctly the six key roles of the criminal justice agencies.'

By meeting this objective plus the other four objectives, learners would have developed an appreciation of the wider context in which the work of the magistrates' court takes place. This would help them to deal effectively and confidently with requests for adjournments.

- The structure of the training materials was detailed in a local training 'brief', and took account of the checklist contained in the JSB's *Adult Court Bench Book* entitled 'Case Management – A Structured Approach'.
- The content of the training materials was relevant, related to the objectives and was agreed by the technical experts and local records confirm this.
- The training materials contained different types of interaction, e.g. three case studies, one exercise and one quiz.
- The language in the training materials was clear, used active voice not passive voice and kept the use of acronyms to a minimum, e.g. Crown Prosecution Service (CPS) and Human Rights Act (HRA).
- The training materials met the equal treatment and diversity guidelines and used an appropriate race and gender mix for the case studies, as evidenced by the critical reader's comments.
- The training materials were reviewed by a group of experienced magistrates and suggestions for improvement were incorporated.
- The training materials were signed-off as fit for purpose by the local training manager (prior to MATC formation).

Stage 3: Delivery of training solutions – guidance notes

OVERVIEW

This stage of the training cycle aims to ensure that the delivery of the training is effective and provides opportunities for the learners to learn. This will involve choosing the most appropriate format for meeting training needs, and taking advantage of different training methods. The training solutions covered by this stage include face to face training, such as conferences, seminars and workshops.

WHO SHOULD REFER TO THESE STANDARDS?

This stage applies if the person's role involves:

- Delivery of training.
- Developing a good relationship and supporting learners.
- Making effective presentations and producing follow-up activities.
- Managing group work to improve learning.
- Working with individual learners.
- Supporting learners using open or e-learning.

This may include:

- JCs with training responsibility.
- Training managers.
- Legal advisers with training responsibility.
- Other trainers/facilitators.

WHAT ARE THE MINIMUM STANDARDS?

The minimum standards required when delivering training solutions are outlined below.

MINIMUM STANDARDS REQUIRED		ADDITIONAL GUIDANCE
I	<p>Trainer prepares for the training</p> <p>a) The training facilities are appropriate, available and meet health and safety requirements.</p> <p>b) The trainer/facilitator is familiar with the training materials and content prior to delivery.</p> <p>c) Joining instructions and any pre-reading material are sent out to learners at a reasonable time prior to the training.</p> <p>d) All materials and equipment needed are available and in working order for the training.</p>	<p>Evidence that the standard has been met may be included in:</p> <ul style="list-style-type: none"> • Observation notes, e.g. M&E Team feedback, local trainer/facilitator assessment form. • Training manager observation notes. • Local evaluation data, e.g. reaction questionnaire. • Informal learner feedback, e.g. comments made during a break. • Health and safety record for training facilities. • Completed checklist for training materials.

MINIMUM STANDARDS REQUIRED		ADDITIONAL GUIDANCE
2	<p>Trainer/facilitator establishes rapport with learners</p> <p>a) Learners are made welcome.</p> <p>b) Learners are encouraged to participate at their own pace.</p> <p>c) Conflicts within groups are effectively dealt with.</p> <p>d) Learners' needs are supported.</p>	<p>Evidence that the standard has been met may be included in:</p> <ul style="list-style-type: none"> • Training manager assessments. • Observation notes. • MNTI 2 Core Training Materials. • Local evaluation data. • Learner feedback.
3	<p>Trainer/facilitator promotes anti-discriminatory practice</p> <p>a) The trainer/facilitator treats learners in a way that reflects equal treatment and diversity good practice.</p> <p>b) The trainer/facilitator intervenes when learners use discriminatory behaviour, remarks or language.</p> <p>c) The trainer/facilitator clearly explains the effects of discriminatory behaviour.</p>	<p>Evidence that the standard has been met may be included in:</p> <ul style="list-style-type: none"> • Local HMCS court guidelines for equal treatment. • Training manager assessments. • Trainer/facilitator notes on inappropriate behaviour. • Observation notes. • Local evaluation data. • Informal learner feedback.
4	<p>Trainer/facilitator presents and explains information, exercises and demonstrations effectively</p> <p>a) Information and instructions are provided in a clear and understandable manner.</p> <p>b) Questions are encouraged and checks are carried out to ensure that information is understood.</p> <p>c) Visual aids are legible, accurate, up to date and presented in a manner which enhances the learning process and which takes into account the learners' diverse needs.</p>	<p>The term 'visual aids' includes items such as computer based learning (CBL), flipcharts, whiteboards, overhead projector (OHP) slides, handouts, PowerPoint presentations and videos.</p> <p>Evidence that the standard has been met may be included in:</p> <ul style="list-style-type: none"> • Training manager assessments. • Observation notes. • Local evaluation data. • Informal learner feedback. • MNTI 2 Core Training Materials. • Range of visual aids used, e.g. e-learning.

MINIMUM STANDARDS REQUIRED	ADDITIONAL GUIDANCE
<p>5 Trainer/facilitator facilitates group learning</p> <p>a) The ground rules for the group learning are discussed and agreed by the trainer/facilitator and the group.</p> <p>b) Learners are given clear information about the expected outcomes of each activity.</p> <p>c) Positive and timely constructive feedback is given to learners to encourage the process of learning and progress towards learning outcomes.</p>	<p>The term 'ground rules' means agreement is reached on aspects such as: all discussions to remain confidential, all learners to be respectful of others views and all deadlines to be met.</p> <p>'Constructive feedback' consists of the following key principles:</p> <ul style="list-style-type: none"> • Start with a positive. • Be specific. • Refer to behaviour that changed. • Offer alternatives. • Be descriptive rather than evaluate. • Leave the learner with a choice. <p>Evidence that the standard has been met may be included in:</p> <ul style="list-style-type: none"> • Training manager assessments. • MNTI 2 Core Training Materials. • Observation notes. • Local evaluation data. • Informal learner feedback.

A standards template is provided (Appendix 4) which can be used as a checklist to identify how the standards have been met.

EXAMPLE

Case management training for magistrates 2003

For the local court training in this case, the trainers/facilitators:

- Ensured that the training facilities were adequate for the numbers and ensured joining papers were sent out a fortnight prior to the event.
- Established rapport with the learners by welcoming them, encouraging their participation, and checking out their understanding of the learning by reviewing this throughout the event.
- Promoted anti-discriminatory practice by discussing and agreeing the ground rules at the start of the event.
- Presented information, exercises and demonstrations effectively and allowed time for questions to be raised throughout the event.
- Facilitated group learning by discussing and agreeing the ground rules, giving clear instructions for syndicate activity, ensuring numbers for group work were appropriate (six per group), allowing time for qualitative discussion within groups (20-30 minutes) and providing feedback to all learners on group work.

All these aspects were evidenced by the training manager's observation and assessment.

Stage 4: Application of training in the court environment – guidance notes

OVERVIEW

This stage of the training cycle is concerned with ensuring that all learning outcomes are applied and reinforced in practice within the court environment.

WHO SHOULD REFER TO THESE STANDARDS?

This stage applies if the person's role involves:

- Monitoring the development of individual learners.
- Reviewing progress with learners.

This may include:

- JCs with training responsibility.
- Training managers.
- Legal advisers with training responsibility.
- Magistrates, e.g. BTDC members, mentors, appraisers.

WHAT ARE THE MINIMUM STANDARDS?

The minimum standards required when applying the application of training in the court environment are outlined below:

MINIMUM STANDARDS REQUIRED		ADDITIONAL GUIDANCE
I	<p>There is a record of successful application of training within the court environment</p> <p>a) It is clear what has happened as a result of the training.</p> <p>b) An improvement in performance, competence or capability has occurred.</p>	<p>Evidence that the standard has been met may be included in:</p> <ul style="list-style-type: none"> • Trends identified through the appraisal and mentoring process. • Feedback notes, e.g. post-sitting review. • Self-assessment. • Evaluation process.

A standards template is provided (Appendix 5) which can be used as a checklist to identify how the standards have been met.

EXAMPLE

Criminal Justice Act 2003

For the training in this case the local training team compiled a report for the JC (prior to MATC formation), based on reaction questionnaires and other feedback, which indicated that over 70 per cent of magistrates knew how to use the new sentencing guidelines and use the new forms in court.

Stage 5: Evaluation of training solutions – guidance notes

OVERVIEW

This stage of the training cycle deals with the collection, analysis and presentation of information to establish the improvement in performance that results from this. The standards are based on established 'best practice', but it is accepted that it is difficult to evaluate magistrate training effectively beyond a subjective assessment and there needs to be a pragmatic approach, locally.

WHO SHOULD REFER TO THESE STANDARDS?

This stage applies if the person's role involves:

- evaluating learning programmes, or
- responding to developments in learning, or
- planning and introducing improvements in learning interventions.

This may include:

- MATCs.
- BTDCs.
- JCs with training responsibility.
- Training managers.
- Legal advisers with training responsibility.
- JSB project members.
- JSB M&E team.

WHAT ARE THE MINIMUM STANDARDS?

The minimum standards required for evaluating training solutions are listed below.

MINIMUM STANDARDS REQUIRED		ADDITIONAL GUIDANCE
I	<p>Evaluate the effectiveness of the training within the court environment</p> <p>a) The purpose, scope, methods, and timing of evaluation are clearly defined and agreed with relevant interested parties.</p> <p>b) Appropriate methods of evaluating the training are provided.</p> <p>c) Evaluation information from the training is collected.</p> <p>d) Records of evaluation information are accurate and allow for confidentiality.</p>	<p>Evaluation best practice guidance will be produced by the JSB M&E Team and will be made available to all interested parties. This will explain items such as the purpose, scope and methods of evaluation and provide guidance on the use of evaluation tools, e.g. questionnaires and focus groups.</p> <p>The term 'interested parties' refers to those that have a direct interest in the evaluation such as the JSB, MATCs, BTDCs, those JCs with responsibility for training and training managers.</p>

	MINIMUM STANDARDS REQUIRED	ADDITIONAL GUIDANCE
		Evidence that the standard has been met may be included in: <ul style="list-style-type: none"> • Post-sitting review trends. • Trends identified through mentoring and appraisal process. • JSB documentation, e.g. M&E Team reports. • Documentation supporting external quality accreditation, e.g. Investors in People, National Training Awards.
2	The training is effective <ol style="list-style-type: none"> a) All standards in this framework are met. b) It is clear what changes have happened as a result of the training. c) Where the training is not fully effective, the reasons are identified and discussed with the relevant interested parties. d) Lessons learned from the training are available for immediate use. 	Evidence that the standard has been met may be included in: <ul style="list-style-type: none"> • Local evaluation data. • Trends identified through the mentoring and appraisal process. • Feedback notes. • JSB documentation, e.g. M&E Team reports, Annual Training Report. • Documentation supporting external quality accreditation, e.g. Investors in People, National Training Awards.

A standards template is provided (Appendix 6) which can be used as a checklist to identify how the standards have been met.

EXAMPLE

Diversity awareness training

A series of one-day local training events for magistrates was completed on diversity awareness. Their aim was to raise an awareness of diversity issues and their potential impact on court proceedings. These events were evaluated using the following methods:

- Feedback was initially obtained by magistrates completing an end of event reaction questionnaire.
- Follow up telephone interviews took place (three months after the event attended) with a random selection of magistrates. This was to gauge how they had applied their knowledge, skills and attitude gained from the training, to their court duties.
- A magistrate focus group took place (six months after all the training had been completed) to consider the impact of this training, what had worked well and what needed amending in any future such programme.
- A training evaluation report summarising the results and making recommendations for future action was discussed at a training committee meeting.
- Recommendations included a closer alignment to the MNTI 2 Competence Framework, use of personal action plans by magistrates and discussions being more explicit on diversity issues in mentoring and appraisal discussions.

Appendices

Standards Templates

March 2006



Judicial Studies Board

Appendix I

GUIDANCE ON THE USE OF THE STANDARDS TEMPLATES

The standards templates provide the opportunity for all those involved with magistrate training to consider their involvement in the training cycle, and how in a practical sense these minimum standards are being met. Each of the five stages within the cycle provide guidelines for training effectiveness. In undertaking self-assessment against the standards, the templates provide the opportunity for users to consider what evidence is available to support the statements.

There is no formal requirement for these templates to be completed for training activities.

However, the JSB M&E team will wish to discuss, as part of their visits to areas, how these standards are being demonstrated in practice. Local training staff may wish to use these templates as a checklist for these discussions along with any other relevant documents, evaluation summaries or notes of feedback. A way of using the templates in a holistic manner (modified in format to suit local circumstances) could be to:

COLLECT VIEWS, INFORMATION AND DATA ON 'WHERE WE ARE NOW'

Decide for each stage of the training cycle:

- What do we do now and what do we not do?
- How do we do it and how widely do we do it?
- What are we achieving?

After studying each stage of the standards, evidence or points for discussion to answer these questions could then be placed in the right hand column of the template ('What evidence is available to demonstrate this?').

IDENTIFY STRENGTHS AND AREAS FOR FURTHER IMPROVEMENT

Based on this picture of where we are now, consider for each stage of the training cycle:

- What do we do well, what are our strengths?
- Where could we develop further or extend our current approach?
- Do we need to change or add to current activities?

After studying each stage of the standards, evidence or points for discussion to answer these questions could then be placed in the right hand column of the template.

Alternatively, the templates could be completed for a number of training activities, e.g. induction, chairmanship training, consolidation training, as a planning tool.

These possible approaches to using the standards templates could:

- Ensure that a clear positioning is taken against the standards framework.
- Identify both strengths and areas for improvement.

This in turn could help users to consider an action plan for further improvement and could lead to informed discussions when the JSB M&E Team visit areas.

Appendix 2

Stage I: Identification of training needs – standards template

	MINIMUM STANDARDS REQUIRED	WHAT EVIDENCE IS AVAILABLE TO DEMONSTRATE THIS?
I	<p>The need for the training has been clearly and accurately identified</p> <ul style="list-style-type: none"> a) It is clear who identifies and decides on the training need. b) It is clear how training needs are identified and analysed. c) Training needs at individual and group level have been identified. d) There is a clear indication who the training is for. e) The success criteria for the training are clearly identified. f) The source of the identification of the training need is clear and unambiguous. 	

Appendix 3

Stage 2: Design of training solutions – standards template

MINIMUM STANDARDS REQUIRED		WHAT EVIDENCE IS AVAILABLE TO DEMONSTRATE THIS?
1	<p>There is a clear introduction to the training materials</p> <p>a) It indicates the aim and purpose of the training.</p> <p>b) It defines the expected target audience and any pre-training requirements.</p> <p>c) It sets out the expected outcomes of the training.</p> <p>d) It indicates the context in which the training is to be applied.</p> <p>e) It clearly signposts the training points for the learner.</p> <p>f) It gives clear instructions for use of the training materials.</p>	
2	<p>There are clear training objectives</p> <p>a) The objectives relate to the identified training need.</p> <p>b) The content relates to the objectives.</p> <p>c) The objectives are measurable and contain a 'criterion, performance and condition'.</p>	
3	<p>The structure of the training materials is logical and easy to follow by the trainer/facilitator and/or learner</p> <p>a) The objectives relate to the identified training need.</p> <p>b) Where the training materials consist of different modules, the connection between each module is made clear.</p> <p>c) Instructions are clear to the trainer/facilitator and/or the learner.</p>	

MINIMUM STANDARDS REQUIRED		WHAT EVIDENCE IS AVAILABLE TO DEMONSTRATE THIS?
<p>4 The content of the training materials is relevant</p> <p>a) The content relates to the identified training need.</p> <p>b) The content relates to the objectives.</p> <p>c) The appropriate experts/critical readers have seen and approved the content as technically correct.</p>		
<p>5 The training materials meet all equal treatment/diversity guidelines</p> <p>a) No discriminatory language or imagery is used.</p> <p>b) Stereotypes are avoided.</p> <p>c) There is an appropriate race and gender mix within examples and case studies.</p> <p>d) The training is free of sensitive issues unless relevant to content.</p>		
<p>6 The language used in the written training materials is clear</p> <p>a) Active voice verbs are used – passive voice is kept to a minimum.</p> <p>b) New terms are defined at first mention.</p> <p>c) Use of acronyms is kept to a minimum and defined at first use – list of abbreviations and acronyms included if appropriate.</p> <p>d) Language is jargon free.</p>		

MINIMUM STANDARDS REQUIRED		WHAT EVIDENCE IS AVAILABLE TO DEMONSTRATE THIS?
<p>7</p> <p>There is appropriate interaction in the training materials</p> <p>a) A variety of training methods and approaches are used to facilitate learning.</p> <p>b) All questions are effective (varied, linked to training points, in context, answers in training materials clear and unequivocal).</p> <p>c) Case studies, role-play and exercises are all suitable (relevant, credible, up to date, in context, varied).</p>		
<p>8</p> <p>The training has been subject to an effective review and/or developmental test</p> <p>a) The training has been tested on a typical audience.</p> <p>b) Modifications have been discussed and agreed with the review group and/or appropriate experts.</p> <p>c) The required improvements have been made to the training.</p> <p>d) If the training has not been reviewed/tested with a typical audience, there are valid reasons for this.</p>		
<p>9</p> <p>The training materials have been 'signed-off' as fit for purpose</p> <p>a) Approval has been obtained from those with responsibility for the training that the training is 'fit for purpose'.</p>		

Appendix 4

Stage 3: Delivery of training solutions – standards template

MINIMUM STANDARDS REQUIRED		WHAT EVIDENCE IS AVAILABLE TO DEMONSTRATE THIS?
1	<p>Trainer/facilitator prepares for the training</p> <ul style="list-style-type: none"> a) The training facilities are appropriate, available and meet health and safety requirements. b) The trainer/facilitator is familiar with the training materials and content prior to delivery. c) Joining instructions and any pre-reading material are sent out to learners a reasonable time prior to the training. d) All materials and equipment needed are available and in working order for the training. 	
2	<p>Trainer/facilitator establishes rapport with learners</p> <ul style="list-style-type: none"> a) Learners are made welcome. b) Learners are encouraged to participate at their own pace. c) Conflicts within groups are effectively dealt with. d) Learners' needs are supported. 	
3	<p>Trainer/facilitator promotes anti-discriminatory practice</p> <ul style="list-style-type: none"> a) The trainer/facilitator treats learners in a way that reflects equal treatment/diversity good practice. b) The trainer/facilitator intervenes when learners use discriminatory behaviour, remarks or language. c) The trainer/facilitator clearly explains the effects of discriminatory behaviour. 	

MINIMUM STANDARDS REQUIRED		WHAT EVIDENCE IS AVAILABLE TO DEMONSTRATE THIS?
<p>4</p> <p>Trainer/facilitator presents and explains information, exercises and demonstrations effectively</p> <p>a) Information and instructions are provided in a clear and understandable manner.</p> <p>b) Questions are encouraged and checks are carried out to ensure that information is understood.</p> <p>c) Visual aids are legible, accurate, up to date and presented in a manner which enhances the learning process and which takes into account the learners' diverse needs.</p>		
<p>5</p> <p>Trainer/facilitator facilitates group learning</p> <p>a) The ground rules for the group learning are discussed and agreed by the trainer/facilitator and the group.</p> <p>b) Learners are given clear information about the expected outcomes of each activity.</p> <p>c) Positive and timely constructive feedback is given to learners to encourage the process of learning and progress towards learning outcomes.</p>		

Appendix 5

Stage 4: Application of training in the court environment – standards template

MINIMUM STANDARDS REQUIRED		WHAT EVIDENCE IS AVAILABLE TO DEMONSTRATE THIS?
I	<p>There is a record of successful application of training within the court environment</p> <p>a) It is clear what has happened as a result of the training.</p> <p>b) An improvement in performance, competence or capability has occurred.</p>	

Appendix 6

Stage 5: Evaluation of training solutions – standards template

MINIMUM STANDARDS REQUIRED		WHAT EVIDENCE IS AVAILABLE TO DEMONSTRATE THIS?
1	<p>Evaluate the effectiveness of the training within the court environment</p> <p>a) The purpose, scope, methods, and timing of evaluation are clearly defined and agreed with relevant interested parties.</p> <p>b) Appropriate methods of evaluating the training are provided.</p> <p>c) Evaluation information from the training is collected.</p> <p>d) Records of evaluation information are accurate and allow for confidentiality.</p>	
2	<p>The training is effective</p> <p>a) All standards in this framework are met.</p> <p>b) It is clear what changes have happened as a result of the training.</p> <p>c) Where the training is not fully effective, the reasons are identified and discussed with the relevant interested parties.</p> <p>d) Lessons learned from the training are available for immediate use.</p>	

Appendix 7

Frequently Asked Questions (FAQs)

Q1. What research and consultation has taken place in putting the framework of standards together?

Extensive research was undertaken by the JSB Monitoring and Evaluation Team. The team examined the national occupational standards for training and development, undertook desktop reviews of similar work undertaken within both central government and the private sector and considered external quality standards in areas such as Investors in People (IIP) and the European Foundation of Quality Management (EFQM) Excellence Model. The team also took informal soundings from training managers within Her Majesty's Courts Service (HMCS).

The JSB Monitoring & Evaluation Steering Group (MESG), which includes a Magistrates' Association representative, a Justices' Clerks' Society representative, a training manager, an HMCS Area Director, MATC/BTDC members and a magistrate member of the Magisterial Committee, approved the first draft standards document. The draft standards were then sent out to all court areas and other interested parties for consultation by the close of December 2005. Feedback received was considered and changes were made to the framework as appropriate. During this time members of the M&E Team have attended MATC meetings to discuss the framework document.

The MESG approved the second draft document, before final approval by the JSB's Equal Treatment Advisory Committee and Magisterial Committee for issue from March 2006.

Q2. The framework of standards appears somewhat bureaucratic and prescriptive?

The standards aim to provide guidance for all those involved (both local and national) in the provision of magistrate training, on the minimum standards to apply to ensure training is effective. They help to identify what 'best practice' looks like and provide a comprehensive stage by stage approach to each aspect of the training cycle. Most experienced trainers will find that the standards articulate what they are already doing and may help to identify opportunities for further improvement. The standards should be a valuable tool for new or infrequent trainers to use and adopt.

The standards are 'best practice' and, as such, should be considered and followed to foster consistency in magistrate training throughout England and Wales. How, and in what ways, the standards are used is entirely a matter for areas to determine but a pragmatic approach is important. Clearly the planning, design, delivery and evaluation of a 30 minute presentation to a small number, would differ significantly from planning a one day training event to a large number. Therefore, how the standards might be applied, would differ accordingly.

Q3. Why does the title refer to 'training and development' and not 'learning and development'?

The word 'training' features prominently in all JSB materials (particularly MNT1 2) and in most court area documents, so it was felt at this stage that changing the terminology would not add value. Indeed it might cause confusion and uncertainty.

However, it is recognised that since the mid 1990s there has been a gradual shift in the techniques and language used to describe the steps taken by employers to help employees to perform their jobs more effectively. Until fairly recently 'training' was the word most frequently used, whether to describe a role (training manager) or a development technique (which would probably have been a classroom-based event). Now 'learning', often linked with 'development', is becoming more in fashion (CIPD research). The shift from the use of 'training', as a catch-all term, to 'learning and development' has followed the realisation that there is no one route to learning;

different individuals have different learning preferences. For example, some may prefer to read books, others to attend courses. Most learn best from experience.

There is no intention to amend references to 'training' at this stage, but this may change in the future.

Q4. Do the standards apply to all training interventions?

The standards apply to all training interventions, but as indicated in Q2 above, a pragmatic approach should be adopted. In developing local training events, the five stages of the training cycle should be systematically followed. However, for JSB national training materials such as those for the criminal justice reforms, the focus should be on specific relevant stages within the training cycle. Similarly for a short training/presentation, the focus might be on just the delivery and evaluation stages. The key is to be realistic, pragmatic and account for all decisions, as appropriate.

Q5. Do the standards templates need to be used for each and every training intervention?

The standards templates provide the opportunity for all those involved with magistrate training to consider their involvement in the training cycle, and how, in a practical sense, these minimum standards are being met. There is no formal requirement for these templates to be completed at all, let alone for each training intervention. Using the templates for each training intervention is likely to lead to a bureaucracy, which will add little value to the process. However as the guidance notes on the use of the standards template indicate, there is considerable value in using the templates in a holistic manner. For example, it may be decided to run a series of diversity awareness events in the local area. Using the templates could help in the planning of such activities particularly with the identification of need and evaluation.

Alternatively, the templates could be used to evaluate how a particular training programme such as induction or chairmanship training has been run in the past. In this way, the templates could assist in identifying strengths and areas for further improvement. When the JSB M&E Team visit areas, they will expect to discuss with training staff their approach to using the standards to improve their training and the results of that approach.

Q6. How will areas be considered if, following JSB M&E visits, they are not meeting the minimum training and development standards?

The JSB M&E Team will, following their visit to an area, prepare a draft report outlining key recommendations. The draft report will be discussed with the MATC to ensure its accuracy and content and once agreed, a final report will be issued to the MATC with an action plan. It is the intention of the M&E Team to work in partnership with areas, to help and support colleagues with their self-assessment and to practically assist areas where further help is required. The visits are not inspections and the aim is to support and improve the training being provided across England and Wales.

Each area will be treated in exactly the same way but in the early years of such a programme of visits it is likely that some areas may need additional support from the M&E Team.

Q7. All of this seems to suggest an additional burden on areas. Are additional resources being provided to support this?

Experience gained by the JSB M&E Team from visiting MATCs to date, is that the standards conform to good practice and as such should not create additional pressures. The standards may be the catalyst to examine local structures for magistrate training and consideration of any re-organisation, as appropriate. MATCs in particular will wish to look at the strategic implications of applying the standards, the resource planning tool and the reporting and planning schedule.

Workshops will be facilitated by the M&E Team in March 2006 to launch the standards, discuss evaluation best practice and explain the purpose of the planning and annual reporting procedures. This should ensure that matters concerning resource implications are carefully considered. The programme of visits that the M&E Team will be undertaking to all areas will highlight any issues concerning resources and this can then be discussed at a local level, as appropriate. Page 41 of the Good Practice Guidance for MATCs provides additional information on resource issues.

Q8. There appears to be an emphasis on record keeping and evidence collection within the framework?

There is no expectation that areas should collate any additional records or evidence. What the standards should do is prioritise what existing local records are kept and help JCs, MATCs/BTDCs to consider their approach to magistrate training on a more strategic level. Documentary evidence does not need to be provided for all instances of training interventions but the JSB M&E Team would expect on their programme of visits to discuss how the standards are being met.

Q9. What if the evidence suggested does not prove the standards are met?

As indicated in Q2, Q4, Q5 and Q8, how and in what ways the standards are met is entirely a matter for areas to determine, but clearly a pragmatic approach is vital. The additional guidance column within the standards is just that and it should be assumed that discussions, informal meetings and local best practice can, through self-assessment and questioning by M&E evaluators on the programme of visits, satisfy requirements. The M&E Team does not wish areas to undertake paper chases or create written records for no added value.