

Guidance

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Meeting our standards for good qualifying work experience

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Status

This guidance will help you understand how your firm can meet our expected standard when offering qualifying work experience (QWE).

[<https://www.sra.org.uk/become-solicitor/sqe/qualifying-work-experience-employers/>]

Who is this guidance for?

This guidance is for firms we regulate offering QWE. It will help you understand how to:

- meet the standards we expect for a QWE placement
 - provide the best possible QWE to individuals
 - maximise the benefits of QWE to their organisation
 - comply with our Principles and Code of Conduct obligations
- [<https://www.sra.org.uk/solicitors/standards-regulations/>] when offering QWE.

This guidance may also be helpful for organisations that currently do not provide periods of recognised training (training contracts) but are thinking of taking advantage of the new flexibility and offer QWE.

What is QWE?

QWE is a role or work placement which meets the following criteria:

- It involves experience of providing legal services
[<https://www.sra.org.uk/trainees/qualifying-work-experience/qualifying-work-experience-employers/>] which enables an individual to develop some or all of the competences outlined in the Statement of Solicitor Competence
[<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/competence-statement/>], including professionalism and ethics.
- In total it must be at least two years working full time or the equivalent on a part time basis.
- It was obtained in no more than four separate organisations providing legal services. There is no minimum or maximum prescribed length for each individual placement.



- It is confirmed by a solicitor or Compliance Officer for Legal Practice (COLP) [<https://www.sra.org.uk/solicitors/guidance/meeting-standards-good-qualifying-work-experience/>] .

It can be obtained in a current [<https://www.sra.org.uk/trainees/qualifying-work-experience/qualifying-work-experience-candidates/using-experience-from-your-current-job-or-role-as-qualifying-work-experience/>] or a previous [<https://www.sra.org.uk/trainees/qualifying-work-experience/qualifying-work-experience-candidates/using-past-jobs-or-roles-as-qualifying-work-experience/>] role, either in England or Wales or overseas.

There is a form available for a candidate to register their QWE [<https://www.sra.org.uk/trainees/qualifying-work-experience/qualifying-work-experience-candidates/registering-qualifying-work-experience/>]

What does good QWE look like?

Any experience that meets these conditions counts as QWE and should be confirmed by a solicitor or COLP in accordance with our requirements [#] .

We expect firms to offer good QWE. The points below set out our expected standard for a good QWE placement.

You should consider these in the context of your own organisation and your business objectives.

Good quality QWE should provide opportunities for individuals to:

- carry out diverse and varied work that enables them to gain exposure to a wide range of competences assessed in SQE2 [<https://www.sra.org.uk/sra/policy/solicitors-qualifying-examination/archive/sqe2-assessment-specification/>] . A placement that mostly offers repetitive and limited administrative tasks and legal transactions is unlikely to help:
 - individuals develop the specified competences or provide them with the best chance of passing SQE2
 - support your business by developing future employees with broad skills and knowledge.
- regularly reflect on their performance and identify both strengths and areas of development. For example, in a law firm this could be through regular appraisals and one-to-one meetings with a supervisor. Our continuing competence resources [<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/continuing-competence/reflect-identify/>] outline approaches to reflection that might be useful for you or individuals doing their QWE.
- be supported in their work experience. You should discuss from the outset with individuals doing QWE what your expectations are as an organisation,



and what they expect from their placement. Being aware of their career aspirations can help you understand how best to support them.

- develop their professionalism and gain exposure to ethical issues. There should be opportunities for individuals to develop an awareness of standard procedures in relation to, for example:
 - conflicts of interest checks
 - anti-money laundering checks
 - information security.
- learn from experienced role models at your organisation by seeing how they behave ethically and in accordance with the Codes of Conduct [<https://www.sra.org.uk/solicitors/standards-regulations/>] in difficult cases.
- be effectively supervised during the placement. You should be clear from the outset:
 - who is responsible for supervising individuals doing QWE
 - how the supervisor will satisfy themselves about the quality of individuals' work
 - how they will provide formative feedback
 - how they will check that the individual is getting access to a proper range of tasks.

Firms and solicitors should consider how they can comply with requirements in our Codes of Conduct and in our Principles to supervise effectively and not to abuse their position by taking unfair advantage of individuals. We may act against a firm or a solicitor if these obligations are not met.

- be supported in collating any relevant evidence and recording their QWE throughout their placement. If your organisation does not have its own system or process, the individual can use our training template [<https://www.sra.org.uk/become-solicitor/sqe/qualifying-work-experience-candidates/qwe-training-template/>] .
- have their placement confirmed by a solicitor or Compliance Officer for Legal Practice (COLP) [#] . You should make who this is clear to individuals from the outset of their QWE placement. If this changes, you should inform the individual and identify another person who can confirm their experience. It is important to remember that the solicitor or COLP confirming the experience is not assessing the individual's competence.

A solicitor or COLP confirming QWE should consider whether they are complying with our Principles and Code of Conduct for Solicitors, RELs and RFLs [<https://www.sra.org.uk/solicitors/standards-regulations/code-conduct-solicitors/>] to act honestly, fairly at all times and not to abuse their position by taking unfair

advantage of an individual. For example, refusing to confirm QWE that meets our criteria is a clear breach of our Principles and Code. We may act against a solicitor or firm who does this deliberately.

Meeting your regulatory obligations

If you are a law firm we regulate, making sure your placement reflects the above points will help you comply with your Code of Conduct obligation not to abuse your position by taking unfair advantage of others when offering QWE.

It will also help you meet your service and competence obligations to make sure the service you provide to clients is competent, that your employees are competent to carry out their role and that they keep their professional knowledge and skills, as well as understanding of their legal, ethical and regulatory obligations, up to date.

Retrospective QWE requests

We expect solicitors and COLPs to take reasonable and appropriate steps to confirm any retrospective requests.

For example, this could involve talking to the HR department to confirm details of the experience or to obtain a job description for the role being claimed as QWE. It could also involve speaking to the person who supervised the individual to get more information on what their experience included.

However, we also recognise that in some cases it may be legitimate for a solicitor or COLP not to confirm QWE. For example:

- if records have not been kept
- the retrospective claim goes beyond the organisation's data retention period
- there are no individuals from that time still employed who can verify the experience.

Further help

You can read more about QWE [<https://www.sra.org.uk/become-solicitor/sqe/qualifying-work-experience-employers/>] or email us [<https://www.sra.org.uk/contactus/>].