

Kaplan SQE Limited

Solicitors Qualifying Examination (SQE)

Complaints Policy

1. Introduction

1.1 Scope and Purpose

Kaplan SQE Limited (Kaplan SQE) has been appointed by the Solicitors Regulation Authority (“SRA”) as the sole provider of the Solicitors Qualifying Examination (“the Assessment”) and the End Point Assessment Organisation (“EPAO”) for Solicitor Apprentices. Kaplan SQE handles complaints in accordance with this Policy as required by the SRA.

This Policy sets out the procedures to be followed

- a. in cases where a candidate wishes to make a complaint about our administration or delivery of the Assessment (Candidate Complaints Policy - see sections 2 - 4 below).
- b. in cases where a person that is not a candidate but is a customer because they have paid for the Assessment on behalf of a candidate wishes to complain about the administration of the Assessment (Customer Complaints Policy - see section 5 below).

This policy cannot be used to deal with complaints about our decisions in relation to an application for mitigating circumstances, or a decision of the Mitigating Circumstances Panel, or a decision of the Assessment Board or the Adjudicator or the Appeal Panel. Appeals relating to marks achieved on the Assessment are not within the scope of this Policy and shall be dealt with according to the Appeals Policy.

Where a person who is not a candidate or customer is dissatisfied with a service provided by Kaplan SQE, they can contact Kaplan SQE using the ‘Contact Us’ feature on the SQE website and the matter will be investigated and responded to.

1.2 Definition

For the purposes of this Policy complaint means an expression of concern or dissatisfaction with our customer service, administration or delivery of the Assessment.

1.3 Fairness

We are committed to ensuring that this Policy is fair and transparent and is operated in a manner which:

- treats all parties equally and fairly in the consideration of their complaint
- gives reasons for our actions taken and the decision we make
- is free from bias
- has reasonable timescales for both submissions to and responses from us.

1.4 Confidentiality

Information provided by candidates and customers under these procedures will be treated confidentially and only shared with those persons necessary to consider their complaint.

1.5 Timescales

We consider that candidates and customers will normally be able to meet the time limits in communicating with us. Where there are circumstances which mean a candidate or customer cannot reasonably meet such time limits they must communicate this to us at the earliest opportunity.

1.6 Candidates or customers with a disability

Where a candidate or customer indicates that they have a disability, information will be made available to them in appropriate formats and reasonable adjustments will be made to accommodate their needs.

1.7 Review of this Policy

This Policy will be monitored by Kaplan SQE and the SRA and any necessary amendments will be made and implemented at the earliest opportunity. As a minimum, Kaplan SQE will review this and all associated policies on an annual basis as part of its ongoing quality assurance procedures.

2. Candidate complaints procedure

2.1. A complaint by a candidate may be made informally or formally. We have a four-step process to assist in the resolution of a candidate complaint.

Step 1: Informal resolution

Step 2: Formal complaint

Step 3: Investigating the complaint

Step 4: Resolving the complaint

2.2. Step 1: Informal resolution

- 2.2.1. If possible, the candidate should raise their complaint or concern with a member of our staff who may be present. The issue may be able to be resolved immediately by doing this. If this is not possible or is unsuccessful or is not applicable in the circumstances, and the candidate wishes to pursue informal resolution the candidate should send an email as soon as possible to (*this address will be made available in the future*) and in any event within five working days of the incident complained of.
- 2.2.2. Kaplan will seek to resolve the complaint or concern within 10 working days.
- 2.2.3. If it is not possible to resolve the complaint by informal resolution, the candidate should lodge a formal complaint. (See Step 2).
- 2.2.4. If a candidate who has requested informal resolution wishes to make a formal complaint the timescale for doing so will be extended to 10 working days from the date of the response from Kaplan SQE.

2.3. Step 2: Formal complaint

- 2.3.1. To make a formal complaint, the candidate must complete the Formal Complaint Form (this link will be made available in the future). Subject to 2.2.3 this must be submitted within 10 working days of the incident complained of. Full details of the complaint should be included in the form.
- 2.3.2. We will acknowledge receipt of the complaint within five working days of receiving it.

2.4. Step 3: Investigating the complaint

- 2.4.1. The complaint will be investigated by a nominee of the Head of Equality and Quality or their Deputy (who will be the Investigating Officer).
- 2.4.2. The Investigating Officer may call on relevant persons for further information or evidence as required. Where necessary the

Investigating Officer may also arrange a formal meeting with the candidate.

- 2.4.3. We will endeavour to investigate the complaint within 20 working days of receiving it. If despite our best efforts, it is not possible to complete the investigation within 20 working days, the candidate will be informed of this.

2.5. Step 4: Resolving the complaint

- 2.5.1. The Investigating Officer will submit a report of their investigation to the Head of Equality and Quality or their Deputy to determine the outcome of the complaint.
- 2.5.2. The Head of Equality and Quality or their Deputy will reach a decision on the outcome of the complaint within 10 working days of receiving the report of the Investigating Officer. The decision will either be to:
 - 2.5.2.1. uphold the complaint in full
 - 2.5.2.2. uphold the complaint in part
 - 2.5.2.3. reject the complaint
- 2.5.3. If the complaint is upheld, in part or in full, further action may be recommended.
- 2.5.4. Marks awarded to a candidate cannot be adjusted as a result of a complaint under this Policy.
- 2.5.5. The candidate will be informed of the outcome of the complaint within 10 working days of the decision under 2.5.2 and within 40 working days of receipt of the complaint. If this is not possible, we will keep the complainant updated as to when our response will be provided and why we have been unable to respond within our usual timeframes.
- 2.5.6. The outcome of the complaint will be minuted and recorded in the Complaints Register which is subject to inspection by the SRA.

3. Review procedure for candidates

- 3.1 A candidate has a right to request a review of the decision under 2.5.2 above.
- 3.2 A request for a review must be made to the Director of Qualifications, Kaplan UK on the prescribed form (*this link will be made available in the future*) within 10 working days of the date the candidate was notified of the decision. We will acknowledge receipt of the request for a review within five working days of receiving it.
- 3.3 The Director of Qualifications may reject a request for a review which they reasonably consider to be frivolous or vexatious.
- 3.4 If the request for a review is not rejected under 3.3, the Director of Qualifications will convene a Complaints Panel comprising two members of Kaplan SQE management staff who have not been previously concerned with the complaint. A request for a review will be considered and concluded on by the Complaints Panel within 30 working days of receipt of the request for a review.
- 3.5 A review can only be requested on the following grounds:
- 3.6.1. the decision under 2.5.2, or the manner in which that decision was reached involved material irregularity and/or was manifestly unreasonable and/or irrational; or
 - 3.6.2. there is new evidence that could not have been made available at the formal stage of the complaint.
- 3.6 The Complaints Panel may call on relevant persons for further information or evidence as required. Where necessary they may also arrange a formal meeting with the candidate.
- 3.7 If the two members of the Complaints Panel are unable to agree then the benefit of the doubt should be given to the candidate.

4. Review decision for candidates

- 4.1 The Complaints Panel may reach one of the following decisions:

4.1.1. uphold the decision in full

4.1.2. uphold the decision in part

4.1.3. reject the decision

4.2 Where a decision is made to uphold the decision in part or reject the decision, the Complaints Panel will refer the complaint back to the Head of Equality and Quality or their Deputy. They may also recommend further action.

4.3 The Complaints Panel is not authorised to adjust the mark awarded to the candidate.

4.4 The candidate will be informed of the outcome of the review within 10 working days of the decision under 4.1.

4.5 The outcome of the review is final.

4.6 The outcome of the review will be minuted and recorded in the Complaints Register which is subject to inspection by the SRA.

5. Customer Complaints Procedure

5.1 We have the following process to assist in the resolution of a complaint from a person that is not a candidate but is a customer of Kaplan SQE because they have paid for the Assessment on behalf of a candidate:

5.1.1 If possible, the customer should raise their complaint or concern with a member of our staff straight away. The issue may be able to be resolved immediately by doing this. If this is not possible or is unsuccessful or is not applicable in the circumstances, and the customer wishes to pursue resolution the customer should send an email as soon as possible to (this address will be made available in the future) and in any event within 10 working days of the incident complained of. Full details of the complaint should be included in the email.

5.1.2 We will acknowledge receipt of the complaint within five working days of receiving it.

5.1.3 The complaint will be investigated by a nominee of the Head of Operations (who will be the Investigating Officer).

- 5.1.4 The Investigating Officer may call on relevant persons for further information or evidence as required.
- 5.1.5 We will endeavour to investigate the complaint within 20 working days of receiving it.
- 5.1.6 The Investigating Officer will report on their investigation to the Head of Operations or their Deputy to determine the outcome of the complaint.
- 5.1.7 The Head of Operations or their Deputy will reach a decision on the outcome of the complaint within 10 working days of receiving the report of the Investigating Officer. The decision will either be to:
 - 5.1.7.1 uphold the complaint in full
 - 5.1.7.2 uphold the complaint in part
 - 5.1.7.3 reject the complaint
- 5.1.8 If the complaint is upheld, in part or in full, further action may be recommended.
- 5.1.9 The customer will be informed of the outcome of the complaint within 10 working days of the decision under 5.1.7 and within 40 working days of receipt of the complaint.
- 5.1.10 The outcome of the complaint will be minuted and recorded in the Complaints Register which is subject to inspection by the SRA.