

What is qualifying work experience?

Individuals wishing to be admitted as a solicitor, either through the SQE route or as part of an equivalence to a period of recognised training, need to complete qualifying work experience (QWE).

- It involves experience of providing legal services which enables an individual to develop some or all of the competences outlined in the Statement of Solicitor Competence, including professionalism and ethics.
- It may be obtained in England or Wales or overseas.
- In total it must be at least two years working full time or the equivalent on a part time basis.
- It can be obtained in up to 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 COLP (who regulate).
- It can be obtained in an organisation that the SRA regulates or in an organisation they do not regulate.
- It can be obtained in a current or a previous role.

Who can confirm QWE?

QWE can be confirmed by:

- A solicitor of England or Wales or COLP (who we regulate) within the organisation where the placement took place. The solicitor or COLP does not need to hold a practising certificate.
- A solicitor of England or Wales, who does not need to hold a practising certificate, working outside the organisation where the placement took place who has direct experience of the work of the individual completing QWE and who has:
 - Reviewed their work during the relevant period of work experience.
 - Received feedback from the person or persons supervising their work.

What needs to be confirmed?

Any experience that meets these conditions counts as QWE and should be confirmed. You will need to confirm:

- The length of work experience carried out.

- That the placement provided the opportunity for the individual to develop some or all of the competences outlined in the Statement of Solicitor Competence.
- That no issues arose during the work experience that raise questions over the individual's character and suitability to be admitted as a solicitor or if such confirmation cannot be given, then details of any such issues.

You will need to confirm these details when the individual is applying for admission.

You will be asked by the individual completing their application for your details and SRA number.

Please remember that you are not confirming whether a candidate is competent to practise. The SQE assessments will assess this.

You are not making a judgement on an individual's suitability to be a solicitor. Instead, if any issues came up during the placement you are confirming, please give the SRA the details and they will consider them under their character and suitability requirements.

You will also be asked by the individual completing QWE for your SRA number when they ask you to confirm it. Please provide this. This information will help them to contact you to so you can confirm the individual's QWE.

How to meet SRA obligations when confirming QWE

Confirming QWE is an important statement to the SRA. You should consider the following when doing so:

- If you or your organisation has provided an opportunity for an individual to complete their QWE, you have a responsibility to confirm it if it has been properly completed and meets the criteria. If there was a good reason (for example because you are related to the individual or have a possible conflict of interest), you or your organisation should nominate another individual who meets the requirements to confirm where possible.
- Take steps to satisfy yourself that the QWE claimed:
 - Has been completed and is accurate.
 - Provided the opportunity to develop some or all of the competences in the Statement of Solicitor Competence.
 - That no issues arose during the work experience that raise questions over the individual's character and suitability.
- You can obtain these assurances by:
 - Directly supervising the individual's work (although this is not a requirement of confirming QWE).

- Reviewing the individual's QWE training template, training diary, learning and development record or work portfolio to make sure they had the opportunity to develop some or all of the competences. You may want to check that the experience claimed has been appropriately evidenced. For example, does the experience described or provided relate to the competence.
- Confirming with your organisation's HR team that the placement details are accurate and whether any character and suitability issues arose.
- Speaking to the person or persons directly supervising the individual's work.
- If you are a solicitor working outside of the organisation where the placement took place you must have direct experience of the candidate's work and, before confirming QWE, have:
 - Reviewed the individual's work during the relevant period of work experience. You can do this by reviewing the trainees training diary or portfolio.
 - Received feedback from the person or persons supervising their work.

You can do this by using the tips mentioned above. You may need to consider in particular how you can support the individual developing their professionalism by providing an ethical role model for them, exploring with them whether they encountered any ethical issues and how you as a qualified solicitor would have approached them.

- Consider whether you are you complying with our Principles and Code of Conduct for Solicitors to act honestly, fairly at all times and not to abuse your position by taking unfair advantage. For example, refusing to confirm QWE that meets the SRA criteria simply in order to retain an employee in a non-qualified position would be a clear breach of our Principles and Code. The SRA may take action against a solicitor or COLP who does not meet their regulatory obligations when confirming QWE that meets the criteria.
- You should take reasonable steps to inform the individual at the earliest opportunity if you are not able to confirm their QWE, for example, you are retiring or coming off the Roll. You or your organisation should nominate another individual to confirm where possible.

Retrospective QWE requests

The SRA 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, it is 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.

Legal services business support

There are some business consultancies which employ solicitors who potentially will confirm someone's QWE even though they have never met them or supervised them in anyway. Typically, they charge £200 per hour for their services.

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