

# Qualifying work experience for employers

Updated 12 April 2023

All candidates looking to qualify through the SQE route

[\[https://www.sra.org.uk/become-solicitor/sqe/\]](https://www.sra.org.uk/become-solicitor/sqe/) will need to complete two years' full-time (or equivalent) qualifying work experience (QWE).

QWE helps aspiring solicitors by providing them with experience of legal work and the opportunity to develop some or all of the competences needed to be a solicitor.

Those with the Legal Practice Course can also use QWE, and passing SQE2, as an equivalent to a period of recognised training

[\[https://www.sra.org.uk/become-solicitor/legal-practice-course-route/substitute-qwe-sqe2-equivalent-training/\]](https://www.sra.org.uk/become-solicitor/legal-practice-course-route/substitute-qwe-sqe2-equivalent-training/) (often known as a training contract). Find out more [\[https://www.sra.org.uk/become-solicitor/legal-practice-course-route/substitute-qwe-sqe2-equivalent-training/\]](https://www.sra.org.uk/become-solicitor/legal-practice-course-route/substitute-qwe-sqe2-equivalent-training/)

Qualifying work experience does not apply to qualified lawyer. Find out how they can become a solicitor [\[https://www.sra.org.uk/become-solicitor/qualified-lawyers/\]](https://www.sra.org.uk/become-solicitor/qualified-lawyers/)

.

Open all [#]

## *What counts as QWE?*

QWE must involve providing legal services. The Legal Services Act 2007 (s. 12) [\[https://www.legislation.gov.uk/ukpga/2007/29/section/12\]](https://www.legislation.gov.uk/ukpga/2007/29/section/12) defines legal activity and can help candidates decide whether their role involves delivering legal services. Because some or all of our competencies [\[https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/competence-statement/\]](https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/competence-statement/) are likely to be part of delivering legal services, any work that meets this definition is likely to be QWE.

If someone works in a law firm, in-house legal team or other legal services provider in a role that doesn't meet this definition, it's unlikely to be QWE. Simulated legal services also do not count – it must be real life experience.

Candidates can gain QWE before, during or after they sit the SQE assessments. They can also use experience from previous roles.

QWE is designed to be flexible so that it can take place in a wide range of organisations providing legal services. It can be gained in up to four organisations, in paid or volunteer work, and could include time spent:

- on placement during a law degree

- working in a law clinic
- at a voluntary or charitable organisation or a law centre
- working as a paralegal
- on a training contract.

QWE can be gained in England or Wales or overseas, and it does not need to cover English and Welsh law. A candidate will need knowledge of this to take the SQE assessment, but they do not need to gain this specifically through their work experience.

We will not advise as to whether an individual's situation is QWE. The confirming solicitor or Compliance Officer for Legal Practice (COLP) we regulate should discuss this with the candidate. We have issued guidance for solicitors [<https://www.sra.org.uk/solicitors/guidance/colps-confirming-qualifying-work-experience/>].

Candidates and QWE providers can use these questions to work out whether a previous job, role or experience can count as QWE. If the answer is 'yes' to all of them, it is likely to be QWE.

- Does or did the job, role or experience involve providing legal services? The Legal Services Act 2007 (s. 12) defines legal activity.
- Does or did the job, role or experience involve real life legal services provision rather than stimulated legal services provision?
- Has the individual been exposed to at least two competences in the Statement of Solicitor Competence?
- Has or will the job, role or experience be carried out in no more than four organisations?
- Has or will the job, role or experience be at least two years' full time or equivalent? We will not prescribe what full time (or equivalent) means.
- Has or will the job, role or experience be confirmed by a solicitor or COLP?

We will not prescribe what full time (or equivalent) means. We expect QWE providers/employers to take a common-sense view of what they mean by full time.

Firms we regulate who are offering QWE are reminded of their regulatory obligation to make sure employees are competent to carry out their role. They must make sure they keep their professional knowledge and skills, as well as understanding of their legal, ethical and regulatory obligations, up to date.



We have a useful template [<https://www.sra.org.uk/become-solicitor/sqe/qualifying-work-experience-candidates/qwe-training-template/>] that could help your candidates record their work experience and how it meets our competencies. It is not a regulatory requirement to use this template - it is a training and recording aid only.

Read our guidance on what we expect from firms offering qualifying work experience [<https://www.sra.org.uk/solicitors/guidance/meeting-standards-good-qualifying-work-experience/>]

### *How many competences does someone need?*

In order to make the most of QWE, it is better for candidates to have the opportunity to develop a wide range of competencies. Candidates will be assessed on whether they can demonstrate the full range of competences through the SQE assessment. They must pass this to be admitted as a solicitor.

Our regulations do not require someone to develop all of the competencies [<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/competence-statement/>] for their experience to count as QWE. The minimum number needed is two. We also do not prescribe which competencies an individual should be exposed to.

A role that involves only a single competence, even though it may be providing legal services, will not count as QWE.

### *Confirming work experience*

QWE must be confirmed by a solicitor of England and Wales or Compliance Officer for Legal Practice (COLP). They do not have to hold a practising certificate.

It can be a solicitor that does not work for the same organisation as the candidate but is willing to confirm. They will need to have:

- reviewed their work during the relevant period of work experience
- received feedback from the person(s) supervising their work.

It cannot be a barrister of England and Wales unless they are also a solicitor or COLP we regulate. It also cannot be a different type of qualified lawyer (either UK or international), again unless they are also a solicitor.

This is what a solicitor is confirming:

- the length of the work experience
- that it was providing legal services and the candidate had the opportunity to develop some or all of the competences for solicitors

[<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/competence-statement/>] (minimum of two)



- that no issues arose during the work experience that raise questions over the candidate's character and suitability to be admitted as a solicitor.

Confirming QWE does not involve:

- deciding whether an individual is competent to practise. Competence is determined by passing the SQE assessments rather than by a confirming solicitor at the end of a period of QWE.
- judging how well a candidate has been trained, the quality of their experience or the standard of their work.
- deciding on an individual's character and suitability to become a solicitor. We assess this when they apply for admission. QWE should be confirmed notwithstanding any concerns about the individual's character and suitability. A solicitor or COLP must provide details of any issues, if appropriate, and can do this through the confirming process.

A solicitor can state what evidence they need to see in order to confirm the period of QWE. It is an important regulatory step and solicitors must be satisfied through their own knowledge of the candidate or their organisation's processes.

Confirming QWE does not mean an individual is admitted as a solicitor. When they are, it is an employer's decision whether to employ them as a solicitor or not.

Take a look at how a solicitor confirms QWE in mySRA

[[https://www.sra.org.uk/mysra/manage-account/individual-account/#heading\\_36e2](https://www.sra.org.uk/mysra/manage-account/individual-account/#heading_36e2)]

### *Candidates claiming QWE*

Candidates only need to register their two years' QWE by the time they apply for admission as a solicitor. Find out how to they can record their completed QWE [<https://www.sra.org.uk/become-solicitor/sqe/qualifying-work-experience-candidates/registering-qualifying-work-experience/>].

### *Employing a solicitor in a non-solicitor role*

Once a candidate becomes a solicitor, it's up to the employer to decide if they offer them a job as a solicitor or continue in the role they had before admission.

It is good employment practice, not a regulatory requirement, to have early, open, and honest conversations about whether a solicitor role may be available once they have qualified.

However, if a solicitor is employed in a non-solicitor role, for example as a paralegal, they will still need to comply with our rules. They will need to

have a practising certificate and comply with our continuing competence obligations.

Their job title is a matter for the employer, providing it is not misleading to clients. It may or may not include the word 'solicitor'.

### *Regulatory obligations*

There are some important differences for the firms we regulated in relation to a solicitor with a practising certificate and a non-solicitor doing the same type of work.

### *Competence*

The firm must make sure that all solicitors are competent to carry out their role. This includes keeping their professional knowledge and skills, as well as understanding of legal, ethical and regulatory obligations, up to date.

Competence must be assessed in relation to the role that is being performed. However, there will clearly be a difference between a solicitor and a non-solicitor in relation to what they need to keep up to date. It is up to the firm to make sure that the individual has done this.

If the solicitor renews their own practising certificate, they will need to confirm that they have reflected on their practice and addressed any identified learning and development needs. However, if they are included in the firm's bulk renewal application, then the firm will need to be able to confirm this.

### *Reporting obligations*

The reporting requirements will also be different in relation to a solicitor. A firm's Compliance Officer for Legal Practice is required to report any serious breaches of our regulations that apply to the firm's employees. In the case of a solicitor, this would include serious breaches of the SRA Code of Conduct for Solicitors, RELs and RFLs [<https://www.sra.org.uk/solicitors/standards-regulations/code-conduct-solicitors/>], as this Code applies even when they are doing non-solicitor work.

### *Recording and confirming qualifying work experience in mySRA*