

Meeting of the CLLS Training Committee on 1 March 2018

The University of Law presentation: SQE – Graduate Entry Apprenticeships

This note should be read in conjunction with the University's slides. Points of note as follows.

Slides 2 and 3

There is scope for firms to offset their apprenticeship levy contributions against the cost of their trainee training fees under the SQE regime (as the SQE is currently proposed) if they structure their trainee programmes as graduate-entry solicitor apprenticeships. This will require compliance with the detailed requirements of the apprenticeship regime.

Even if the SQE is dropped as a general requirement, something equivalent will still be needed as the final exam for the solicitor apprenticeship (to be taken in the final six months of work experience). In any event, SQE is unlikely to be in final form in time for the first cohort on the new solicitor apprenticeship.

The record of work experience an apprentice is required to maintain is more detailed than the record required for trainee solicitors in the trainee diary: apprentices have to link activities to the competences set by the relevant apprenticeship standard and keep copies of pieces of work in a portfolio. There is no prescribed format. ULaw is considering whether the portfolio could be accredited as part of a masters award.

Firms considering this route should be aware that, under an apprenticeship, the apprentice needs to be judged ready to take the assessment by an assessor from the training provider before being eligible to sit.

Slides 4 to 7

ULaw's SQE programme elements offer a pathway through SQE1 and 2 for both law and non-law graduates. ULaw assumes that all students will need the SQE1 preparation element (even law graduates). They hope to include the SQE1 exam itself in their timeframe.

Once the SQE1 exam has been taken, students can move immediately into ULaw's SQE2 element (ie without waiting for the SQE1 results). ULaw has included in "Additional Content" the material they believe City law firms will want their trainees to have studied in addition to the SQE2 content. At the end of the SQE2 course, ULaw will set exams for the Additional Content. Fees referable to the Additional Content cannot be offset against levy contributions.

For students who study for SQE2 before QWE, there will be choice re sitting the SQE2 exam:

- (i) take it at the end of the SQE2 course, before starting QWE (see Example 1, slide 5); or
- (ii) take it during the QWE, and attend a ULaw refresher course shortly before (see Example 2, slide 6).

Alternatively, the SQE2 course can be studied during QWE, and the SQE2 taken during QWE (see Example 3, slide 7).

Note that it will not be possible to use the levy if SQE2 is taken before QWE as an apprenticeship requires that the final exam is taken within the final six months of work experience. The levy could be used in the other examples provided sitting SQE2 is delayed until the final six months of the QWE.

ULaw does not know how long after sitting SQE1 students will receive their results. The months reflected in the Examples are illustrative and may be impacted by the times when the SRA schedules the SQE exams.

Length of ULaw's courses

ULaw's SQE1 course is likely to require around 12 weeks' study for students who have completed a law degree or a conversion course.

ULaw believes that City firm students could complete the SQE2 course in 12 weeks.

ULaw suggested that non-law students could complete both SQE1 and 2 courses in six months. However, as the law conversion course currently takes around nine months, firms felt that they would want a new conversion course to be as thorough and therefore they would expect it to require a similar period of time.

If firms opted for their future trainees to study the ULaw SQE2 course before QWE but take the SQE2 exam during the final six months of QWE, the ULaw SQE2 refresher course would probably be just a couple of days long.

Under the apprenticeship route, an assessor from ULaw would meet each trainee every ten to twelve weeks during SQE.

Slide 8

Note that the levy cannot be used to fund training content outside the SQE framework (such as SQE2 Additional Content and ULaw's fees for awarding a degree).

The levy cap on offset for the solicitor apprenticeship has moved between £21,000 and £27,000 and is still under review. Further, there is no information about the cap for a graduate entry solicitor apprenticeship.

It will be open to employers to agree with its apprenticeship provider additional content which will fall outside the scope of the levy.

The concept of an apprenticeship requires a set term. In the context of the solicitor apprenticeship, ULaw is running seven year rather than six year programmes because it is not clear when the end point assessments will take place and also to allow a period in case an apprentice needs to resit the final exam. ULaw suggested that firms considering using the graduate apprentice route might want to put their trainees on a three year rather than two year QWE term.

Firms will also need to consider what provisions they wish to include in the apprenticeship agreement, for example, what happens if the apprentice fails an exam.

Bringing trainees within the apprenticeship framework will require compliance with a number of rules which would not apply to traineeships not using this route. These include the following:

- Payment of salary during pre-QWE study (eg for ULaw's SQE courses);
- The firm's training provider would be required to report to Government monthly on the apprentice's presence/absence at work; and
- Absence (including for sickness) can trigger termination of an apprenticeship.

ULaw confirmed that accountancy firms are using the apprenticeship regime (and levy) for their mainstream trainee accountant training costs.

Slide 9

ULaw gave a brief demonstration of their Qualification Routes Comparison Calculator and offered to provide demonstrations separately to committee members if they wished.