



Social Welfare Solicitors Qualification Fund Employers' FAQs

Is this going to impact upon the candidate's role at the firm – will they need to take time off?

No. The preparatory course provided under the scheme is extremely flexible and intended to be studied part time to allow those with employment and caring responsibilities to qualify whilst maintaining previous responsibilities. Candidates are required to confirm that they understand that they are committing to studying alongside their current role as an employee, it is then up to the employer and the candidate to discuss whether any study days will be granted or needed. Unlike the current Professional Skills Course, the scheme itself does not include any commitments which will take the candidate away from their current role other than examination sittings for the SQE 1 and 2.

Will employers need to prepare and provide a Training Contract?

No. Under the SQE there is no longer a requirement for a specific training contract, regulated by the SRA, to be completed. The new route requires two years of Qualifying Work Experience (QWE). This is two years full time (or equivalent) during which the candidate has provided legal services (in a paid or voluntary role) and as part of this work has been provided with the opportunity to develop some or all of the Competences in the SRA Statement of Solicitor Competence. You, as the supervising solicitor or COLP, should feel able to confirm that this opportunity has been provided and for what period of time. As this scheme is targeting those who are already working in the area of social welfare law, we expect that they will be providing legal services in their current role and as part of their training and development developing the required competences. We would hope that, other than an up to date training and development plan and regular supervision, those working as legal practitioners in the sector will be likely to meet this requirement during the course of their employment.

This is a scheme for those working with in Social Welfare law and Legal Aid. We may need the candidate to undertake some work in one of our other departments in the coming months and years. How will this impact upon eligibility for the scheme?

Candidates are expected to confirm that they intend to focus 70% of the time working in social welfare law and legal aid. Employers are expected to confirm that this is the case as well as confirming that they anticipate that the candidate will spend no less than 70% of their time working as a solicitor in these areas in the two years after the SQE has been completed. It is therefore possible for the candidate to undertake work outside of these areas of law for up to 30% of their time.

Do I have to keep the candidate on at the end of the scheme?

The scheme eligibility criteria require that both the candidate and the employer anticipate that the candidate will remain at the firm for at least two years, as a solicitor working for 70% of their time at least on social welfare and legal aid work. We are hopeful that employers will see the huge benefits of having a newly qualified solicitor - who, in areas such as Immigration and Housing work, will be able to take on higher paying and more complex cases and as a result provide increased capacity for the organisation, increased billing potential and increased access to justice for our clients - without the cost and additional work involved in providing a training contract. We are also hopeful that the fact that the candidate is already employed by your firm will mean that only an increase in pay will be required rather than a new salary for a new solicitor. We believe that growing our own solicitors, to bridge the widening gap between case workers and qualified solicitors, which is a major issue in Criminal and Housing law, is the best route to starting to solve the succession crisis. This route will save money and time which must be invested in recruitment which is, in the current climate, often unsuccessful and therefore more costly. Providing an opportunity for employees to progress in their career will also go some way to addressing the retention crisis which only leads to organisations having to recruit new advisers who take time to embed into the role and organisations causing a drop in income and an impact on the capacity of the organisation to help those who need it most. This is particularly important at this time of increasing demand. The cost of the pay increase can therefore be offset against the savings made on recruitment and on the provision of the traditional training contracts.

The scheme recognises the immense pressures faced by organisations providing legal services in this sector and as a result have not asked for a commitment to providing a two-year NQ contract of employment, simply confirmation that both parties anticipate and intend for the candidate to be employed as a solicitor for two years upon qualification. Should the funding, the needs or the work of the organisation change significantly in this time leading to this not being possible, this will not have any cost implications for either party. Claw back of the grant will only be enforced against the candidate, not the employer, in exceptional circumstances, for example if the candidate qualifies and then shortly after moves into commercial work despite having an offer of continuing employment at the social welfare firm. This scheme does not modify the existing employment relationship.

We have had Justice First Fellows (JFFs) before in our organisation, how is this different?

This is different as it is for candidates who are already working in the organisation. With the JFF, you have to create an entirely new role and there may not be a role for someone at the end of the scheme. Additionally, to apply for the JFF a candidate must have already completed the LPC. This scheme therefore creates an opportunity for people who have not been able to qualify because of financial difficulties. The JFF has its benefits and the LEF has been involved in the development of this scheme. Both schemes benefit each other as they address different barriers to career progression

How will this scheme be funded and who is providing it?

The CLLS, BARBRI and YLAL have spent months developing this scheme. More than 12 City law firms have agreed to donate between £5-20k to the scheme. The grant will be paid directly to BARBRI, the prep course provider and the grant will pay for both the prep course and the exam fees. Neither the employer nor the candidate will receive any payment as part of this scheme and

no additional payments will be required from either party to complete the qualification. YLAL membership will also be encouraged for all candidates to allow them to have peer support.

Will the grant pay for textbooks and laptops and other possible costs?

No. We ask that the candidate is able to provide these themselves using other funds available to them.

Please see our SQE hub for additional information on the SQE and the grant scheme <http://www.younglegalaidlawyers.org/sqe>

Please see CLLS website for all details regarding the scheme application process and criteria. <https://www.citysolicitors.org.uk/social-welfare-solicitor-qualification-fund/>