

CLLS (Training Committee) meeting minutes

Friday 10th August 2018

Hosted at Herbert Smith Freehills

In attendance:

The Committee welcomed Julie Brannan (Director of Education and Training, SRA), Eileen Fry (Director of SQE, Kaplan) and Nick Eastwell (City Adviser to the SRA) to join the meeting.

Present:

In addition to the Training Committee, David Hobart (Chief Executive of the CLLS) was also present at the meeting.

Introduction:

- The SRA explained that they were delighted to have appointed Kaplan as the assessor and were looking forward to working with Kaplan to take the SQE forward.
- Kaplan responded to say they were pleased to have been appointed having successfully run the QLTS for 7 years. It was noted they were working in partnership with Pearson Vue. Pearson Vue would be providing a test centre network to support the SQE. All SQE design and planning would be led by Kaplan.

The following points were raised and discussed:

1. SQE implementation date and timeline for implementation

- The SRA confirmed that implementation would not be before September 2020.
- Kaplan is looking closely at the timeline for testing and development of the SQE over the next few months. The implementation date will then be confirmed by the SRA by the end of the year.
- It was noted that the first group of apprentices started in 2016. It is a 6 year course and the earliest date the SQE would need to be ready for this group was September 2021.
- It was noted that if a student has signed an England & Wales training contract with their firm before September 2020 they would then have the option to remain under the current qualification system.
 - The SRA noted that Law Schools would therefore not need to have an August 2020 GDL start date (instead of the usual September start date) to provide a further year under the current system, provided that their students had by the time the SQE was introduced either started, entered into a contractual agreement or made a non-refundable financial commitment to start a QLD/CPE/LPC/PRT

2. Plans for a pilot or limited "test run" of the SQE

- Kaplan explained that the plan was to have a pilot SQE (part 1 and part 2) for a pilot group of c.400. It was noted:
 - That there would be an application process to ensure diversity amongst the pilot group.
 - The issue with a pilot is for the 'candidate' to revise and to take it seriously. Simply paying a candidate to participate is not enough. To encourage serious participation, the plan is to provide a pilot SQE result that the candidate could

share with their employer or prospective employer. Kaplan and the SRA are hoping that City firms will support the pilot process by for example offering a work experience day to those top performing candidates.

- Kaplan and the SRA are hoping that City firms will further support the pilot for example by encouraging their LPC students, future joiners or trainees to be part of the pilot group.
- The data from the pilot would be used to further develop the SQE and to help set the pass mark.
- There was a detailed discussion around the setting of the pass mark. Kaplan explained that a range of statistical techniques would be applied to ensure the pass mark reflected the difficulty of the assessment rather than be benchmarked against the cohort group. The starting point was the threshold standard and the competence expected of a day one solicitor. This would mean a varying pass mark and/or a standardised score as well as a raw score.

3. Importance of rigorous standards for degree equivalence

- The SRA confirmed the position around a degree or equivalent and shared the relevant guidance from its website [attached].
- It was noted that the option of demonstrating work experience recognised the experience gained from lifelong learning. The SRA explained that this option was required under EU law. It required individuals to provide evidence and confirmation from referees. It was considered on a case by case basis. The SRA already had systems in place for this, under the current “mature candidates” route which permitted individuals to take the GDL where they did not have a degree.

4. To maintain the academic rigour of learning the law and the necessary breadth of the SQE syllabus, especially in the core topics of Contract, Tort and Constitutional Law

- The SRA noted that this has been heavily discussed in the past.
- Kaplan confirmed that Contract Law and Tort would be assessed in their own right as part of SQE 1 and not only in the context of dispute resolution.

5. SQE 2 – the contexts

- Kaplan planned to review this as part of the pilot and testing stage. Whether to extend the contexts, assess in one context or to assess in different contexts.
- It was confirmed that the SQE 2 was not an assessment of recall. The assessment was of the skills, although these needed to have some substance and legal underpinning. On the current model, the contexts are all subjects on which candidates have been tested in SQE 1. Kaplan will be looking in the pilot at how to provide candidates with the legal materials they may need.
- The timing of SQE 2 was discussed. The SRA is keen to listen to firms' concerns around this. They are of the view that they would like to offer flexibility here and not set a particular rule as to when SQE 2 has to be taken (e.g. after 12 months of QWE).

It was agreed to arrange a further meeting with the SRA in September to continue the discussion.