

Qualifying Employment Guidance

The following information is aimed at providing guidance to members who are uncertain as to whether they are in qualifying employment. The guidance is based on the application of the rules and regulations by the Admission and Licensing Committee to particular cases. However, you are advised to complete a qualifying employment application form which will enable CILEx Regulation to make a determination, on which you may rely, as to whether your employment is qualifying employment.

Examples of tasks that we would expect to see under the current rules

Work of a legal nature is work where you undertake an activity for a client or service user that involves the application of the law or legal practice or procedure in areas such as:

- taking instructions
- advising and making recommendations
- drafting documents
- undertaking legal research
- corresponding with the parties to an action or transaction
- making decisions in a legal matter based on legal principles or rule of law
- representing in negotiations and submissions.

The final year in the Graduate membership grade

During the final year of qualifying employment you should be applying the knowledge you have gained through your CILEx studies to legal matters. The work you undertake may be work supporting a lawyer but should be autonomous work rather than directed work, although this does not detract from your employer's responsibility to supervise your work.

2 consecutive years of qualifying employment

A break in employment of up to 12 months, for any reason, does not count towards the overall period of qualifying employment, but nor does it break the continuity of qualifying employment

The first 2 years of qualifying employment

CILEx Regulation recognises that you may not have undertaken autonomous work from the very outset of your employment. However, purely administrative tasks are not qualifying employment. You must have undertaken work wholly of legal nature for at least 20 hours each week (whether this was directed work or not) for your role to be qualifying employment. Below is an indication of the types of roles and/or tasks that are likely to be at the appropriate level:

- working on a caseload at an appropriate level
- completing legal forms
- dealing with client enquiries which involve the provision of advice on law and procedure.

In-house practitioners

CILEx Regulation recognises that not all members of CILEx work in traditional legal practices. If you are working in-house you may be in qualifying employment if your work is wholly of a legal nature for at least 20 hours per week.

If you are working in-house, your employer is your client for the purposes of qualifying employment. Although the structure of an in-house role is likely to be different from that of a role in private practice, the types of tasks you are expected to undertake may be achieved in an in-house role.

Examples of duties that are not qualifying employment

In order to be in qualifying employment, your work must be wholly of a legal nature for at least 20 hours per week. Purely administrative tasks are not therefore qualifying employment.

Below is an indication of the types of roles and/or tasks that are administrative tasks and would not be regarded as qualifying employment:

- Typing
- Photocopying
- Filing
- Book keeping duties
- Document production
- Companies House returns
- File maintenance
- Data entry
- Office management
- Dealing with complaints

CILEx Regulation recognises that members may undertake some administrative tasks in conjunction with legal tasks. However, the work undertaken by members must be **wholly of a legal nature for at least 20 hours per week** in order to be qualifying employment.