

## **Exemptions Policy for CILEx Professional and Legal Services qualifications and for admission to Associate or Graduate Membership**

### **1) The purpose of the policy**

CILEx believes in widening access to the legal profession and in providing the opportunity for a CILEx legal education for all through the recognition of non-CILEx qualification achievement.

CILEx also recognises that non-CILEx qualification achievement offered as comparable to CILEx qualifications must be appropriately scrutinised to ensure that any approved exemptions are robust and consistent.

Because CILEx's Professional qualifications are subject to section 21 Legal Services Act 2007, regarding regulation of reserved legal activity, it is important that exemptions offered by CILEx in relation to its Professional and Legal Services qualifications are approved and overseen in a manner that ensures transparency and meets the requirements of the regulatory authority.

This policy is designed to ensure that the criteria, processes and procedures involved in awarding exemptions reflect a coherent approach based on consistency, flexibility and rigour.

### **2) The scope of the policy**

This policy applies to all exemptions administered and authorised by CILEx.

### **3) The definition of an exemption**

An exemption is where a learner who has successfully completed an external qualification containing a module or unit with the same unit content as that of a CILEx unit, may be 'exempted' from having to achieve that CILEx unit in their studies with CILEx.

In order to be awarded an exemption certain conditions must be met:

- (i) the learner must provide CILEx with evidence of having achieved a full, completed qualification; single modules or units of a non-completed qualification will not be considered for exemption
- (ii) the minimum that a learner can claim exemption for is a single CILEx unit; exemption cannot be claimed for a part of a unit
- (iii) if an exemption is granted, the learner is not awarded the CILEx unit from which they are 'exempted'
- (iv) no exemptions are awarded for work experience.

Alternatively, in the case of application for Associate or Graduate membership, an applicant may apply to be accepted into membership by virtue of holding alternative qualifications. At present these alternative qualifications are:

**For Associate Membership:**

Qualifying Law Degree or CPE/GDL

**For Graduate Membership:**

The Legal Practice Course

The Bar Professional Training Course

An approved Embedded Graduate Fast Track Degree

**For Chartered Legal Executive status**

Chartered Legal Executive Apprenticeship

**4) The types of exemption**

There are three types of CILEx exemptions:

- Listed exemptions\*
- Unlisted exemptions
- Institutional exemptions

In addition, there is a list of alternative qualifications, which do not provide exemption from CILEx units, but are recognised as enabling an individual to make an application to become either an Associate\* or a Graduate member of CILEx (depending on the qualification held).

NOTE: The Qualifying Law Degree/CPE/GDL is both a listed exemption and an alternative qualification providing access to membership. Therefore, it sits in the listed exemptions to provide access to the CILEx Graduate Fast Track Diploma and in the alternative qualifications list to provide access to Associate membership.

Listed exemptions

These are exemptions applying to external qualifications which are approved internally and then listed on the CILEx website (see **Appendix 1 – CILEx table of listed exemptions**). Examples include: A Level Law, City & Guilds Legal Studies qualifications and Qualifying Law Degrees (as defined by the Solicitors Regulation Authority). Listed exemptions are reviewed every two years and/or whenever the external qualifications are reviewed and there is a resulting change to the structure/content/assessment of the qualification.

Applications for exemptions are made by learners who have achieved the listed qualification(s) and not by awarding organisations (see **appendix 2 - Application for a listed exemption**).

Unlisted exemptions

Where a learner has successfully completed an unlisted external qualification which they believe covers one or more units of the CILEx Professional qualifications, they can apply to have the unlisted qualification mapped against the unit specification(s) with a view to being granted an exemption (see **appendix 3 – Application for an unlisted exemption**).

There is an administrative fee for this exemption (to cover the cost of the mapping exercise) and an exemption fee is then payable for each unit exempted.

#### Institutional exemptions

These are exemptions agreed by CILEx with individual institutions, including universities and other Awarding Organisations. Where an institution currently offers a qualification (for example, a Foundation Degree in Legal Studies) which they consider covers part/all of a CILEx qualification, they can apply (and must pay a fee) to have the qualification mapped against the relevant CILEx unit specification(s) and approved as an institutional exemption for their learners (see **appendix 4 – Institutional exemption process**). Where successful, the qualification is added to the list of listed exemptions or recognised alternative qualifications. Institutional exemptions are reviewed by CILEx every 2 years and re-validated on payment of a further fee.

Where a current learner makes a claim for an institutional exemption that is no longer a valid institutional exemption, this will be treated as an unlisted exemption.

Under the institutional exemption model, learners are required to pay a unit exemption fee for each CILEx unit exempted unless the institutional exemption is an embedded Graduate Fast Track Diploma, in which case the applicant will pay the same fee as for LPC/BPTC recognition.

**Note:** - Exemptions relating to the CILEx Legal Services qualifications are dealt with automatically through CILEx's learner achievement database.

### **5) Criteria and Guidance**

#### Listed exemptions

Criteria for applicants applying for a listed exemption

1. Applicants must have fully completed the qualification.
2. Applicants must have achieved the qualification
3. Applicants must submit a certified qualification certificate showing they have achieved the qualification.
4. Applicants must submit a transcript showing they have achieved the relevant modules/units.

Guidance for applicants

1. Applicants must ensure that a copy of the qualification certificate is appropriately signed and certified before submission. The person certifying the certificate must be a practising or retired professional registered with the appropriate professional body, for example, a Chartered Legal Executive, solicitor, barrister or licensed conveyancer or must be a representative of an institution recognised by a regulatory authority or professional body to provide learning and/or award qualifications and authorised to sign it on the institution's behalf. CILEx will carry out spot checks to confirm the authenticity of documents. CILEx will not accept original certificates.

#### Unlisted exemptions

### Criteria for applicants applying for an unlisted exemption

1. Applicants must have fully completed the qualification.
2. Applicants should have completed the qualification at an institution recognised by a regulatory authority or professional body to provide learning and/or award qualifications.
3. Applicants must submit a certified certificate showing they have achieved the qualification.
4. Applicants must submit a transcript showing they have achieved the relevant modules/units of the qualification for which they are applying for exemption (see Note 5 in the Guidance for applicants).
5. The level of the modules or units achieved must be at the same level or above as the units for which exemption is sought.
6. Each of the modules/units achieved for which exemption is sought must show substantial coverage of the law applicable in England and Wales.
7. The content/syllabus of the modules/units achieved must each cover at least 75% of the relevant CILEx unit content.
8. If the institution is **not** recognised by a regulatory authority or professional body to provide learning and/or award qualifications, the qualification assessment process must show evidence of a) appropriate coverage of the syllabus, b) externality in the marking process, c) setting and marking by appropriately qualified staff.

**Note:** No exemptions are awarded for work experience.

### Guidance for applicants

1. Where applicants have been working towards a qualifying law degree but have not achieved this and have obtained another degree, they must submit a statement explaining how their degree differs from a Qualifying Law Degree. CILEx may request from that the applicant provides further information in relation to this which may require the applicant to seek further information from their institution of study.
2. Applicants should only apply for Practice unit exemptions if they are confident that the module/unit achieved shows substantial practical application of the law through the syllabus content and assessment methods. A qualifying law degree or similar qualification is unlikely to include substantial coverage of practical application.
3. Applicants must ensure that a copy of the qualification certificate is appropriately signed and certified before submission. The person certifying your certificate must be a practising or retired professional registered with a professional body, for example, a Chartered Legal Executive, solicitor, barrister or licensed conveyancer or must be a representative of an institution recognised by a regulatory authority or professional body to provide learning and/or award qualifications and authorised to sign on the institution's behalf. CILEx will carry out spot checks to confirm the authenticity of documents. CILEx will not accept original certificates.

### Institutional exemptions

Criteria for institutions applying for a qualification to be awarded institutional exemption status:

1. Each of the modules/units of the qualification must include substantial coverage of the law applicable in England and Wales.
2. The content/syllabus of the modules/units for which exemptions are sought must each cover at least 75% of the relevant CILEx unit content.
3. The level of the qualification or relevant module of the qualification must be the same or higher than that of the CILEx unit for which exemption is sought.
4. The qualification assessment methods must be valid, reliable and appropriate.
5. The quality assurance processes underpinning the assessment of the qualification must be robust and valid. If the institution is **not** recognised by a regulatory authority or professional body to provide learning and/or award qualifications, the qualification assessment process must show evidence of a) appropriate coverage of the syllabus b) setting and marking by appropriately qualified staff c) externality in the marking process.

**Note:** No exemptions are awarded for work experience.

Guidance for institutions applying for institutional exemption status:

1. Institutions must submit a mapping of their syllabus/course specification and details of the assessment methods and quality assurance arrangements. If the institution is **not** recognised by a regulatory authority or professional body to provide learning and/or award qualifications, the qualification assessment process must show evidence of a) appropriate coverage of the syllabus, b) externality in the marking process, c) setting and marking by appropriately qualified staff.

Criteria for applicants applying for an institutional exemption:

1. Applicants must have fully completed the qualification
2. Applicants must have achieved the qualification
3. Applicants must have achieved the relevant optional/elective modules/units and at the relevant level in order for the exemption to be awarded
4. Applicants must submit a certified certificate showing they have achieved the qualification
5. Applicants must submit a transcript showing they have achieved the relevant modules/units

Guidance for applicants applying for an institutional exemption

1. Applicants must ensure that a copy of the qualification certificate is appropriately signed and certified before submission. The person certifying your certificate must be a practising or retired professional registered with the appropriate professional body, for example, a Chartered Legal Executive, solicitor, barrister or licensed conveyancer or must be a representative of an institution recognised by a regulatory authority or professional body to provide learning and/or award qualifications and authorised to sign it on the institution's behalf. CILEx will carry out spot checks to confirm the authenticity of documents. CILEx will not accept original certificates.

Alternative qualifications providing entry to membership

Associate Membership

Criteria for applicants applying for Associate membership with a qualifying law degree/CPE/GDL

1. Applicants must have fully completed the qualification.
2. Applicants must have achieved the qualification
3. Applicants must submit a certified qualification certificate showing they have achieved the qualification.
4. Applicants must submit a transcript showing they have achieved the relevant modules/units.

Guidance for applicants

2. Applicants must ensure that a copy of the qualification certificate is appropriately signed and certified before submission. The person certifying the certificate must be a practising or retired professional registered with the appropriate professional body, for example, a Chartered Legal Executive, solicitor, barrister or licensed conveyancer or must be a representative of a an institution recognised by a regulatory authority or professional body to provide learning and/or award qualifications and authorised to sign it on the institution's behalf. CILEx will carry out spot checks to confirm the authenticity of documents. CILEx will not accept original certificates.

Graduate Membership

Criteria for applicants applying for a Graduate membership with an Embedded GFTD

1. Applicants must have fully completed the qualification.
2. Applicants must have achieved the qualification
3. Applicants must submit a certified qualification certificate showing they have achieved the qualification.
4. Applicants must submit a transcript showing they have achieved the relevant modules/units.

Guidance for applicants

3. Applicants must ensure that a copy of the qualification certificate is appropriately signed and certified before submission. The person certifying the certificate must be a practising or retired professional registered with the appropriate professional body, for example, a Chartered Legal Executive, solicitor, barrister or licensed conveyancer or must be a representative of a an institution recognised by a regulatory authority or professional body to provide learning and/or award qualifications and authorised to sign it on the institution's behalf. CILEx will carry out spot checks to confirm the authenticity of documents. CILEx will not accept original certificates.

Criteria for applicants applying for a Graduate membership with an LPC/BPTC

1. Applicants must have fully completed the qualification.
2. Applicants must have achieved the qualification
3. Applicants must submit a certified qualification certificate showing they have achieved the qualification.

### Guidance for applicants

4. Applicants must ensure that a copy of the qualification certificate is appropriately signed and certified before submission. The person certifying the certificate must be a practising or retired professional registered with the appropriate professional body, for example, a Chartered Legal Executive, solicitor, barrister or licensed conveyancer or must be a representative of a an institution recognised by a regulatory authority or professional body to provide learning and/or award qualifications and authorised to sign it on the institution's behalf. CILEx will carry out spot checks to confirm the authenticity of documents. CILEx will not accept original certificates.

### Criteria for applicants applying for Chartered Legal Executive status after completing the Chartered Legal Executive apprenticeship

1. Applicants must have fully completed the apprenticeship.
2. Applicants must have achieved all qualifications within the apprenticeship
3. Applicants must submit a certified apprenticeship certificate and the qualifying employment declaration from their apprenticeship employer showing they have achieved the qualification.
4. Applicants must complete the prior conduct requirements for admission as a Chartered Legal Executive

### Guidance for applicants

5. Applicants must ensure that a copy of the apprenticeship certificate is appropriately signed and certified before submission. The person certifying the certificate must be a practising or retired professional registered with the appropriate professional body, for example, a Chartered Legal Executive, solicitor, barrister or licensed conveyancer or must be a representative of a an institution recognised by a regulatory authority or professional body to provide learning and/or award qualifications and authorised to sign it on the institution's behalf. CILEx will carry out spot checks to confirm the authenticity of documents. CILEx will not accept original certificates.

### Exemption Approval and Procedures

Listed exemptions are administered by the CILEx Operations Team. CILEx will confirm eligibility for an exemption listed on the Exemptions Table within 10 working days

Unlisted exemptions are reviewed and agreed by the Qualifications Project Administrator (QPA). Where necessary, the QPA will refer any exceptional issues with unlisted exemption applications to the Qualifications Development Manager.

Institutional exemptions are reviewed by the Qualifications Account Manager.

For unlisted exemption applications and institutional exemption applications up to 20 working days may be taken for a decision to be made. These timescales are subject to receiving complete applications and may change according to the complexity of applications and the volume received at peak application times.

Applications for Associate and Graduate membership via the LPC/BPTC/Embedded Graduate Fast Track schemes are processed by the CILEx Membership team.

## **6) Fees and appeals**

### Fees

#### Listed Qualifications

CILEx charges applicants the same cost of the CILEx unit(s) exempted for listed qualifications (except for QLD/GDL/CPE for which a standard fee is payable).

#### Unlisted Qualifications

Where an application is for an unlisted qualification, CILEx additionally charges a £100 administration fee to cover the cost of the mapping exercise. The fee is not refundable if the exemption is not granted.

#### Institutional Exemptions (Institution fees)

For an institutional exemption, CILEx charges the institution £200 for consideration of an application and an additional £300 as an exemption fee if the exemption is approved. The institution will be invoiced for the appropriate fee within 5 working days.

Learners using an institutional exemption pay a fee for the CILEx units exempted.

#### Applications for Associate and Graduate membership via the QLD/GDL/LPC/BPTC/Embedded Graduate Fast Track schemes

CILEx has standard fees for the QLD, GDL, LPC, BPTC and EGFTD schemes.

### Appeals

Appeals relating to unsuccessful exemption applications both by a learner or an institution should be made within 10 working days of the date of the decision letter to the Head of Qualifications who will investigate the issue and respond within 10 working days from receipt of the appeal.

Where an applicant is not satisfied with the response, a further appeal can be made within 10 working days of the date of the decision letter to an independent adjudicator whose decision (within 10 working days of receipt of the letter of appeal) is final.



**Appendix 1 – CILEx table of listed exemptions and alternative qualifications for admission to membership**

<b>Listed Exemptions</b>		
<b>Qualification</b>	<b>Approved Exemption</b>	<b>Exemption Fee</b>
<p><b>AS Level in Law</b></p> <p>Students who have achieved an AS Level in Law and wish to progress on to:</p> <ul style="list-style-type: none"> <li>• CILEx Level 3 Certificate and/or Diploma in Law and Practice</li> <li>• CILEx Level 3 Legal Services knowledge qualifications</li> </ul>	<p>Will be exempt from having to achieve Level 3 Unit 1 Introduction to Law and Practice</p>	£48
<p><b>A2 Law (A level Law)</b></p> <p>Students who have achieved a full A Level in Law and wish to progress on to:</p> <ul style="list-style-type: none"> <li>• CILEx Level 3 Certificate and/or Diploma in Law and Practice</li> <li>• CILEx Level 3 Legal Services knowledge qualifications</li> </ul>	<p>Will be exempt from having to achieve Level 3 Unit 1 Introduction to Law and Practice</p> <p>AND any of the following units on which they have been successfully examined: Unit 2 Contract Law Unit 3 Criminal Law Unit 5 Law of Tort</p> <p>Note: students claiming an exemption against any of these 3 units will have to demonstrate that all units of the A Level specification for that specific subject have been successfully completed.</p>	£48 per unit
<p><b>City &amp; Guilds Level 2 Vocational Paralegal Studies Certificate</b> Students who have achieved an overall Distinction in the City &amp; Guilds Level 2 Certificate in Vocational Paralegal Studies and wish to progress on to:</p> <ul style="list-style-type: none"> <li>• CILEx Level 3 Certificate and/or Diploma in Law and Practice</li> <li>• CILEx Level 3 Legal Services knowledge qualifications</li> </ul>	<p>Will be exempt from having to achieve Level 3 Unit 1 Introduction to Law and Practice</p> <p>Note: Students must have achieved an overall Distinction in three modules (which must include the two core modules The Legal Environment (Unit 1) and Legal Principles (Unit 2))</p>	£48

<p><b>City &amp; Guilds Level 2 Certificate/ Diploma in Legal Studies</b> (Last registration 31/08/2012) Students who have achieved a Pass in the City &amp; Guilds Level 2 Certificate/ Diploma in Legal Studies, and wish to progress on to:</p> <ul style="list-style-type: none"> <li>• CILEx Level 3 Certificate and/or Diploma in Law and Practice</li> <li>• CILEx Level 3 Legal Services knowledge qualifications</li> </ul>	<p>Will be exempt from having to achieve Level 3 Unit 1 Introduction to Law and Practice</p> <p>Note: Students must have achieved a Pass in both Unit 201 The Legal Environment and Unit 202 Principles of Liability</p>	£48
<p><b>City &amp; Guilds Level 2 Certificate/ Diploma in Legal Studies (registration from 01/09/2012)</b> Students who have achieved a Pass in the City &amp; Guilds Level 2 Certificate/ Diploma in Legal Studies, and wish to progress on to:</p> <ul style="list-style-type: none"> <li>• CILEx Level 3 Certificate and/or Diploma in Law and Practice</li> <li>• CILEx Level 3 Legal Services knowledge qualifications</li> </ul>	<p>Will be exempt from having to achieve Level 3 Unit 1 Introduction to Law and Practice</p>	£48
<p><b>Edexcel BTEC Level 3 Certificate in Applied Law (registration from 01/09/2010)</b> Students who have achieved a Pass in Edexcel BTEC Level 3 Certificate in Applied Law and wish to progress on to:</p> <ul style="list-style-type: none"> <li>• CILEx Level 3 Certificate and/or Diploma in Law and Practice</li> <li>• CILEx Level 3 Legal Services knowledge qualifications</li> </ul>	<p>Will be exempt from having to achieve Level 3 Unit 1 Introduction to Law and Practice</p>	£48
<p><b>Qualifying Law Degree</b> Students who have achieved a qualifying (designated as qualifying by the SRA) law</p>	<p>Will be exempt from having to achieve CILEx Level 3 Diploma in Law and Practice, and the Law units from the</p>	£200

degree and wish to progress on to the CILEx Graduate Fast Track Diploma* to qualify for Graduate Membership of CILEx.	Level 6 Diploma in Law and Practice. For students with a qualifying law degree seeking to use the Graduate Fast Track Diploma* to gain access to membership of CILEx, it is a requirement that at least one of the Practice units attempted is in an area of law that was a constituent part of their law degree.	
<b>CPE/ GDL/ PgDL</b>  Students who have achieved a CPE/GDL/ PGDL and wish to progress on to the CILEx Graduate Fast-track Diploma* to qualify for Graduate Membership of CILEx	Will be exempt from having to achieve CILEx Level 3 Diploma in Law and Practice, and the Law units from the Level 6 Diploma in Law and Practice. For students with a CPE/GDL/PgDL seeking to use the Graduate Fast-track Diploma* to gain access to membership of CILEx, it is a requirement that at least one of the Practice units attempted is in an area of law that was a constituent part of their qualification.	£200
Alternative qualifications accepted to provide admission to Associate Membership		
<b>Qualifying Law Degree</b> Students who have achieved a qualifying (designated as qualifying by the SRA) law degree and wish to progress on to the CILEx Graduate Fast Track Diploma* to qualify for Graduate Membership of CILEx.	Will be exempt from having to achieve CILEx Level 3 Diploma in Law and Practice, and the Law units from the Level 6 Diploma in Law and Practice. For students with a qualifying law degree seeking to use the Graduate Fast Track Diploma* to gain access to membership of CILEx, it is a requirement that at least one of the Practice units attempted is in an area of law that was a constituent part of their law degree.	£200
<b>CPE/ GDL/ PgDL</b>  Students who have achieved a CPE/GDL/ PGDL and wish to progress on to the CILEx Graduate Fast-track Diploma* to qualify for Graduate Membership of CILEx	Will be exempt from having to achieve CILEx Level 3 Diploma in Law and Practice, and the Law units from the Level 6 Diploma in Law and Practice. For students with a CPE/GDL/PgDL seeking to use the Graduate Fast-track Diploma* to gain access to membership of CILEx, it is a requirement that at least one of the Practice units attempted is in an area of law that was a constituent part of their qualification.	£200
Alternative qualifications accepted to provide admission to Graduate Membership		
<b>Legal Practice Course (LPC)</b>	Students who have completed an LPC may apply for full exemption from CILEx qualifications to become a Graduate Member of CILEx. For	The Graduate Entry Scheme fee of £655 includes exemption,

	further details please contact our Membership Department: Tel +44 (0)1234 845777 or Email: <a href="mailto:membership@cilex.org.uk">membership@cilex.org.uk</a>	registration and first year of Graduate Membership fees
<b>Bar Professional Training Course (BPTC) (formerly the Bar Vocational Course BVC)</b>	Students who have completed a BPTC / BVC may apply for full exemption from CILEx qualifications to become a Graduate Member of CILEx. Please contact our Membership Department for further details. For further details please contact our Membership Department: Tel +44 (0)1234 845777 or Email: <a href="mailto:membership@cilex.org.uk">membership@cilex.org.uk</a>	The Graduate Entry Scheme fee of £655 includes exemption, registration and first year of Graduate Membership fees
<b>Approved Embedded Graduate Fast Track Degrees</b>	Students who have completed an approved Embedded Graduate Fast Track Degree may apply for full exemption from CILEx qualifications to become a Graduate Member of CILEx. Please contact our Membership Department for further details. For further details please contact our Membership Department: Tel +44 (0)1234 845777 or Email: <a href="mailto:membership@cilex.org.uk">membership@cilex.org.uk</a>	The Graduate Entry Scheme fee of £655 includes exemption, registration and first year of Graduate Membership fees
Alternative qualifications accepted to provide admission as a Chartered Legal Executive		
<b>Chartered Legal Executive Apprenticeship</b>  <b>Please note that applicants will be required to complete the prior conduct requirements before they can be considered for Chartered Legal Executive status.</b>	Applicants for admission who have successfully completed the Chartered Legal Executive Apprenticeship may apply for full exemption from CILEx qualifications, qualifying employment assessment and Work Based Learning portfolio submission. To qualify for the exemption applicants must provide their Apprenticeship certificate and their qualifying employment declaration signed by their apprenticeship employer. Please contact CILEx Regulation for further information on 01234 845770 or <a href="mailto:info@cilexregulation.org.uk">contact info@cilexregulation.org.uk</a>	There is no fee applied for this exemption