



Kaplan SQE Limited

Solicitors Qualifying Examination (SQE)

Complaints Policy

1. Introduction

1.1 Scope and Purpose

Kaplan SQE Limited (Kaplan SQE) has been appointed by the Solicitors Regulation Authority ("SRA") as the sole provider of the Solicitors Qualifying Examination ("the Assessment") and the End Point Assessment Organisation ("EPAO") for Solicitor Apprentices. Kaplan SQE handles complaints in accordance with this Policy as required by the SRA.

This Policy sets out the procedures to be followed

- a. where a candidate wishes to make a complaint (see sections 2 - 4 below).
- b. where a person who is not a candidate but is a customer because they have paid for the Assessment on behalf of a candidate wishes to make a complaint (see section 2 below).

This policy cannot be used to adjust the mark awarded to the candidate, discount the assessment attempt, challenge decisions relating to mitigating circumstances, or a decision of the Assessment Board or the Appeals Panels (First or Final). Appeals against a decision of the Assessment Board must be made according to our Appeals Policy. It is the role of the Assessment Board to make decisions on results of candidates in the SQE. Candidates should refer to the Mitigating Circumstances Policy and Appeals Policy

Where a person who is not a candidate or customer is dissatisfied with a service provided by us, they can contact us by sending an email to enquiries@sqa.sra.org.uk and the matter will be investigated and responded to.

1.2 Definition

For the purposes of this Policy a 'complaint' means an expression of concern or dissatisfaction with our customer service, administration or delivery of the Assessment.

1.3 Fairness

We are committed to ensuring that this Policy is fair and transparent and is operated in a manner which:

- treats all parties equally and fairly in the consideration of their complaint
- gives reasons for our actions taken and the decision we make
- is free from bias
- has reasonable timescales for both submissions to and responses from us.

1.4 Confidentiality

Information provided by candidates and customers under these procedures will be treated confidentially and only shared with those persons necessary to consider their complaint.

1.5 Timescales

We expect that candidates and customers will meet the time limits outlined in the policy. Where there are exceptional circumstances which mean a candidate or customer cannot reasonably meet such time limits they must communicate this to us at the earliest opportunity and submit evidence to justify the delay. Where accepted, and where possible, new timescales may be agreed.

1.6 Candidates or customers with a disability

Where a candidate or customer indicates that they have a disability, information will be made available to them in appropriate formats and reasonable adjustments will be made to accommodate their needs.

1.7 Review of this Policy

This Policy will be monitored on an ongoing basis and any necessary amendments will be made and implemented at the earliest opportunity. As a minimum, Kaplan SQE will review this and all associated policies on an annual basis as part of its quality assurance procedures.

2. Complaints procedure

- 2.1. A candidate or customer complaint may be made informally or formally. We have a four-step process to assist in the resolution of a complaint.

Step 1: Informal resolution

Step 2: Formal complaint

Step 3: Investigating the complaint

Step 4: Resolving the complaint

- 2.2. Step 1: Informal resolution

- 2.2.1. Where relevant, complaints must be raised with a member of the team either on the day of the assessment (at a Pearson test centre this will be the invigilator) or via the candidate service team. The issue may be able to be resolved immediately by doing this. If this is not possible or is unsuccessful or is not applicable in the circumstances, and the candidate or customer wishes to pursue informal resolution they should send an email as soon as possible to enquiries@sqe.sra.org.uk and in any event **within five working days of the incident complained of**.
- 2.2.2. We will seek to resolve the complaint or concern within 10 working days of receiving the complaint.
- 2.2.3. If it is not possible to resolve the complaint by informal resolution, a formal complaint should be lodged within 10 working days from the date of response from us. (See Step 2).

2.3. Step 2: Formal complaint

- 2.3.1. To make a formal complaint, a candidate must complete the [Formal Complaint Form](#) . Subject to 2.2.4 this must be submitted **within 10 working days of the incident complained of**. Full details of the complaint should be included in the form.
- 2.3.2. To make a formal complaint, a customer should send an email to enquiries@sqe.sra.org.uk outlining the nature of the complaint and attaching all relevant documentation. Subject to 2.2.4, this email must be sent within 10 working days of the incident complained of.
- 2.3.3. We will acknowledge receipt of the complaint within five working days of receiving it.
- 2.3.4. If the formal complaint is in any way connected with an ongoing mitigating circumstance claim or appeal, the investigation of the complaint will be put on hold until the outcome of the claim or appeal is known.

2.4. Step 3: Investigating the complaint

- 2.4.1. The complaint will be investigated by a nominee of the Head of Equality and Quality (who will be the Investigating Officer), who has not had any previous involvement with the candidate in the context of the complaint being made.
- 2.4.2. The Investigating Officer may call on relevant persons for further

information or evidence as required. Where necessary the Investigating Officer may also arrange a formal meeting with the candidate.

- 2.4.3. We will endeavour to investigate the complaint within 20 working days of receiving it. If despite our best efforts, it is not possible to complete the investigation within 20 working days, the complainant will be informed of this.

2.5. Step 4: Resolving the complaint

- 2.5.1. The Investigating Officer will submit a report of their investigation to the Head of Equality and Quality or their Deputy to determine the outcome of the complaint.
- 2.5.2. The Head of Equality and Quality or their Deputy will reach a decision on the outcome of the complaint within 10 working days of receiving the report of the Investigating Officer. The decision will either be to:
 - 2.5.2.1. uphold the complaint in full
 - 2.5.2.2. uphold the complaint in part
 - 2.5.2.3. reject the complaint
- 2.5.3. If the complaint is upheld, in part or in full, further action may be recommended.
- 2.5.4. The complainant will be informed of the outcome of the complaint within 10 working days of the decision under 2.5.2 and within 40 working days of receipt of the complaint. If this is not possible, we will keep the complainant updated as to when our response will be provided and why we have been unable to respond within our usual timeframes.
- 2.5.5. The outcome of the complaint will be minuted and recorded in the Complaints Register which is subject to inspection by the SRA.

3. Review procedure (for candidates only)

- 3.1 A candidate has a right to request a review of the decision under 2.5.2 above.

- 3.2 A request for a review must be emailed to enquiries@sqa.sra.org.uk with “Request for Complaint Review” in the email subject line **within 10 working days of the date the candidate was notified of the decision**. We will acknowledge receipt of the request for a review within five working days of receiving it.
- 3.3 The Director of Qualifications or their nominee may reject a request for a review which they reasonably consider to be frivolous or vexatious.
- 3.4 If the request for a review is not rejected under 3.3, the Director of Qualifications or their nominee will convene a Complaints Panel comprising two members of Kaplan SQA management staff who have not been previously concerned with the complaint. A request for a review will be considered and concluded on by the Complaints Panel within 30 working days of receipt of the request for a review.
- 3.5 A review can only be requested on the following grounds:
- 3.5.1 the decision under 2.5.2, or the manner in which that decision was reached involved material irregularity and/or was manifestly unreasonable and/or irrational; or
 - 3.5.2 there is new evidence that could not have been made available at the formal stage of the complaint.
- 3.6 In the Request for Review, candidates must explain:
- 3.6.1 The rationale that the original decision reached involved material irregularity or was manifestly unreasonable or irrational; or
 - 3.6.2 Provide the new evidence that was not available at the formal stage of the complaint.
- 3.7 The Complaints Panel may call on relevant persons for further information or evidence as required. Where necessary they may also arrange a formal meeting with the candidate.

4. Review decision (for candidates only)

- 4.1 The Complaints Panel may reach one of the following decisions:
- 4.1.1. uphold the decision in full

4.1.2. uphold the decision in part

4.1.3. reject the decision

4.2 Where a decision is made to uphold the decision in part or reject the decision, the Complaints Panel will refer the complaint back to the Head of Equality and Quality or their Deputy. They may also recommend further action.

4.3 The candidate will be informed of the outcome of the review within 10 working days of the decision under 4.1.

4.4 The outcome of the review is final.

4.5 The outcome of the review will be minuted and recorded in the Complaints Register which is subject to inspection by the SRA.