



<b>Unit title</b>	Contribute to the Preparation and Management of Artist Agreements and Contracts
<b>SQA code</b>	H6KH 04
<b>SCQF level</b>	7
<b>SCQF credit points</b>	4
<b>SSC ref</b>	MBRLO13

## History of changes

**Publication date:** March 2012

**Version:** 02 (November 2014)

<b>Version number</b>	<b>Date</b>	<b>Description</b>	<b>Authorised by</b>
02	20/11/2014	Update to Unit assessment information.	Qualifications Officer

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<b>Title</b>		Contribute to the Preparation and Management of Artist Agreements and Contracts	
<b>Learning Outcomes</b>		<b>Assessment Criteria</b>	
<b>The learner will:</b>		<b>The learner can:</b>	
1	Be able to contribute to the negotiation and preparation of contracts, agreements, clearances and processes.	1.1	Perform negotiation and documentation of amendments to at least three Artist Agreements, in accordance with organisational procedures, to include: <ul style="list-style-type: none"> <li>◆ TV breaks</li> <li>◆ tour support</li> <li>◆ re-mixer agreements</li> </ul>
		1.2	Develop standard form agreements that can be used, if appropriate.
		1.3	Implement activities which assist with the arrangement of at least two sample clearances.
		1.4	Critically assess the relevance of research and investigation files.
		1.5	Evaluate the relevance of the back catalogue.
		1.6	Apply relevant organizational procedures when responding to enquiries from royalties personnel on contractual issues.
2	Be able to identify issues of compliance and non-compliance.	2.1	Evaluate compliance requests in accordance with organisational procedures.
		2.2	Demonstrate compliance with: <ul style="list-style-type: none"> <li>◆ the All-in-Fee agreement</li> <li>◆ music industry legal directives</li> </ul>
		2.3	Identify areas of non-compliance and take appropriate actions to address these.

<b>Learning Outcomes</b>	<b>Assessment Criteria</b>
<b>The learner will:</b>	<b>The learner can:</b>
<p>3 Be able to communicate issues of legal significance appropriately within the company.</p>	<p>3.1 Identify instances of alleged piracy or parallel imports and make proposals for reporting these to the BPI Audit Piracy Unit.</p> <p>3.2 Perform communications effectively with artists and publishers to ensure all information provided, relating to contracts, is accurate and up to date.</p> <p>3.3 Develop a document which keeps appropriate colleagues briefed on changes and updates to contracts.</p>

<b>Additional information about the Unit</b>
<b>Unit purpose and aim(s)</b>
This Unit involves providing support to colleagues in drawing up and maintaining contracts, including contributing to the process and experience all aspects of how legal documentation, such as agreements and contracts are used within the music industry.
<b>Details of the relationship between the Unit and relevant national occupational standards (if appropriate)</b>
Developed from Creative and Cultural Skills National Occupational Standards
<b>Details of the relationship between the Unit and other standards or curricula (if appropriate)</b>
N/A
<b>Assessment requirements specified by a sector or regulatory body (if appropriate)</b>
N/A

## Assessment (evidence) Requirements

Assessors must ensure that learners provide evidence to cover all the Learning Outcomes and Assessment Criteria.

This Unit is designed to assess the skills of learners in the workplace. Evidence of occupational competence should be generated and collected through performance in workplace conditions. This includes the knowledge-based Learning Outcomes and Assessment Criteria of the competence Units.

These conditions would be those typical to the learner's normal place of work. The evidence collected under these conditions should also be as naturally occurring as possible. It is accepted that not all employees have identical workplace conditions and therefore there cannot be assessment conditions that are identical for all learners. However, assessors must ensure that, as far as possible, the conditions for assessment should be those under which the learner usually works.

Collection of evidence of performance can be used to substantiate, support and expand the evidence base for competent performance. This may include:

- ◆ Observation
- ◆ Product and photographic evidence
- ◆ Relevant active documentation, reports, presentations

### Performance Evidence: Observation

Observation of performance at work. Assessors must provide information about the context of the assessment.

### Performance Evidence: Products

Work products (such as reports, letters, memos, printouts, presentations, etc) are valuable items of performance evidence. Assessors are encouraged to assess work products and record the location of evidence within their assessment records. Assessment centres using 'paperless portfolios' should first discuss their approach to assessment with their awarding body.

## Guidance on Methods/Instruments of Assessment

This Unit is designed to assess the knowledge of learners in the workplace. Learning Outcomes may be assessed by a work-based assessment or by observation/product evidence/witness testimony. Online assessment may also be used. The collection of supplementary evidence of performance can be used to further substantiate, support and expand the evidence base for competent performance where this is necessary. This may be required depending on the size of the organisation in which the learner is working.

Supplementary evidence may include:

- ◆ Questioning
- ◆ Professional discussion
- ◆ Witness testimony
- ◆ Other valid evidence which relates directly to learner performance

## Guidance on Methods/Instruments of Assessment (cont)

### Supporting Evidence: Questioning

Assessment by observation and examination of work products usually results in inferred knowledge. As a result, questions should only be asked to fill gaps where knowledge is not explicit. This style of assessment still requires the assessor to confirm how knowledge and understanding has been addressed but avoids over assessment of the learner.

Questioning includes: verbal and written questioning, questionnaires, work based tasks, reflective accounts, case studies, professional discussion and feedback reports.

### Supporting Evidence: Professional Discussion

Professional discussion is a single, or series of structured, planned and in-depth discussions which can be recorded electronically or manually in paper, computer, audio or video files. Professional discussions can be used to support observation reports, examination of work products and knowledge questionnaires. It is more usually used to fill in gaps in existing performance and knowledge evidence. It can be used formatively and summatively, and using it enhances the assessment process for both learners and assessors.

Professional discussion is used in holistic assessment, which is rigorous, informative and cost-effective, provided the learner is competent in their job role and ready to be assessed. If these conditions are met, assessors can plan to assess naturally-occurring 'evidence-rich' opportunities at work by observation, examination of work products, professional discussion and questioning knowledge within one assessment session. It is also possible for assessors to obtain witness testimonies at the same assessment session. Such a comprehensive activity is likely to focus on major work activities that demonstrate learner competence.

### Supporting Evidence: Witness Testimony

Witness testimony can provide valuable evidence of learner competence. In line with established principles it must be:

- ◆ a clear, authentic statement indicating how the learner carries out their job
- ◆ dated, signed and include the job title of the witness

### Supporting Evidence: Other qualifications

Other qualifications can be used as supporting evidence in a learner's portfolio. The qualification must be current and be benchmarked to one or more of the national occupational standards. However, it will only be supporting evidence, as assessors must still make judgements about how the learner demonstrates competence at work.

*SQA's Guide to Assessment* provides information on appropriate instruments of assessment. This guide is designed to provide support for everyone who assesses for SQA qualifications. It looks at the principles of assessment, and brings together information on assessment in general as well as on best practice in assessment.

The *Guide to Assessment* can be downloaded free from SQA's website [www.sqa.org.uk](http://www.sqa.org.uk).

Creative and Cultural Skills Assessment Strategy also supports the assessment of this Unit.