

## Higher National Graded Unit specification

### General information for centres

This Graded Unit has been validated as part of the HND Legal Services. Centres are required to develop the assessment instrument in accordance with this validated specification. Centres wishing to use another type of Graded Unit or assessment instrument are required to submit proposals detailing the justification for change for validation.

**Graded Unit title:** Legal Services: Graded Unit 2

**Graded Unit code:** F1H9 35

**Type of Graded Unit:** Examination

**Assessment Instrument:** Closed-book Examination with seen case study

**Credit points and level:** 1 HN credit at SCQF level 8: (8 SCQF credit points at SCQF level 8\*)

*\*SCQF credit points are used to allocate credit to qualifications in the Scottish Credit and Qualifications Framework (SCQF). Each qualification in the Framework is allocated a number of SCQF credit points at an SCQF level. There are 12 SCQF levels, ranging from Access 1 to Doctorates.*

**Purpose:** This Graded Unit is designed to provide evidence that the candidate has achieved the following principal aims of the HND Legal Services:

- ◆ Develop and apply a range of vocational knowledge and skills in an integrated manner to the analysis of complex legal problems.
- ◆ Develop the capacity to respond quickly to the challenges posed by changes in the law.

**Recommended prior knowledge and skills:** It is recommended that the candidate should have completed or be in the process of completing the following Units relating to these specific aims prior to undertaking this Graded Unit:

F1A7 34	<i>Scottish Legal System</i>
F19P 34	<i>Scots Private Law</i>
F1A5 34	<i>Property Law</i>
F1B2 34	<i>Commercial Law</i>
F1B1 35	<i>Legal Research Techniques</i>
DH49 34/DE3N 34	<i>Complex Oral Presentation or Communication: Analysing and Presenting Complex Communication</i>
F19N 35	<i>Ethics and Cash Handling in the Legal Office Environment</i>
F1A8 35	<i>Sheriff Court Civil Procedure</i>
F2E7 35	<i>Executry Law and Practice</i>
F1B2 35	<i>Conveyancing</i>

## General information for centres (cont)

**Core Skills:** There are opportunities to develop the Core Skills of problem solving and written communication in this Unit at SCQF level 6, although there is no automatic certification of Core Skills or Core Skills components.

**Assessment:** This examination-based Graded Unit is a closed-book examination using a seen case study/studies. It will consist of a written examination of three hours.

To achieve this Unit, candidates must attain 50% of the available marks across each topic of the paper.

An exemplar instrument of assessment and marking guidelines will be produced to provide examples of appropriate questions and the responses required to demonstrate those aims of the HND Legal Services Group Award which this Graded Unit is designed to cover, and to indicate the standard of responses necessary to correspond with SCQF level 8.

## Administrative Information

**Graded Unit code:** F1H9 35  
**Graded Unit title:** Legal Services: Graded Unit 2  
**Original date of publication:** May 2007  
**Version:** 02 (March 2008)

### History of changes:

Version	Description of change	Date
02	Page 2, Assessment: clarification of pass criteria.	March 2008

**Source:** SQA

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## **Higher National Graded Unit specification: instructions for designing the assessment task and assessing candidates**

**Graded Unit title:** Legal Services: Graded Unit 2

### **Conditions of assessment**

The assessment is based on a closed-book examination using a seen case study and lasting three hours.

If a candidate does not achieve a pass or if a candidate wishes to upgrade, this must be based on a significantly different examination from that given originally. A candidate's grade will be based on his/her achievement on the new event using a significantly different examination.

The examination should be unseen and the assessment should be conducted in controlled and invigilated conditions.

At all times, the security, integrity and confidentiality of examinations must be ensured.

### **Instructions for designing the assessment task:**

The examination should be designed to assess the candidate's critical knowledge and understanding of the topics relating to the specific aims which this Graded Unit is designed to cover. The questions and corresponding marks should be designed in accordance with the ranges indicated in the table that follows. However, the overall total mark for the examination is 100.

The format of the examination should be designed to meet the following requirements:

- ◆ The examination paper should be in one section and will consist of six questions covering the topics shown below.
- ◆ The examination questions will be based on a seen case study and will be carried out in closed-book conditions.
- ◆ Candidates will be given a copy of the case study approximately fourteen days before the assessment but will not be allowed access to the questions.
- ◆ Candidates will be required to attempt all questions.
- ◆ Whilst legal research skills must be demonstrated throughout, it is not necessary for all aspects of the remaining six topic areas to be covered in the examination. A minimum of two aspects from each of the remaining six key topics should be covered.
- ◆ Questions may be split into several parts and each part given a separate mark.

## Higher National Graded Unit specification: instructions for designing the assessment task and assessing candidates (cont)

Key topics	Level of demand	Percentage weighting for each topic
Powers and jurisdiction of the Civil Sheriff Courts (SCQF level 8)	Analyse and evaluate the powers, jurisdiction and procedure of the Scottish Courts.	15%
Legal research techniques and sources of law (SCQF level 8)	Critically analyse ideas, concepts, information and issues which are relevant to the subject area.	20%
Succession (SCQF level 8)	Demonstrate detailed knowledge of testate and intestate estates.	10%
Business organisations (SCQF level 7)	Demonstrate detailed knowledge of business organisations.	10%
Presenting Complex Communication (SCQF level 7)	Demonstrate the ability to convey written complex information for a range of purposes.	15%
Ethics and Cash Handling (SCQF level 8)	Demonstrate the use of a range of routine skills, techniques and practices used in the legal environment.	15%
Conveyancing (SCQF level 8)	Demonstrate the use of routine skills and knowledge to prove ownership of heritable property.	15%

The examination will be marked out of 100. Assessors will aggregate the marks achieved by the candidate to arrive at an overall mark for the examination. Assessors will then assign a grade to the candidate for this Graded Unit based on the following grade boundaries:

- ◆ A = 70% — 100%
- ◆ B = 60% — 69%
- ◆ C = 50% — 59%

## Higher National Graded Unit specification: instructions for designing the assessment task and assessing candidates (cont)

Candidates who meet the minimum Evidence Requirements will have their achievement graded as a C (competent), A (highly competent), or B (somewhere between A and C). The grade related criteria to be used to judge candidate performance for this Graded Unit is specified in the following table:

Grade A	Grade C
<p>Is a seamless, coherent piece of work or exam script which consistently:</p> <ul style="list-style-type: none"> <li>◆ Identifies, explains and analyses the main legal issues in the case study/studies</li> <li>◆ Consistently and precisely demonstrates use of relevant legal principles</li> <li>◆ Accurately gives appropriate advice which follows from the arguments made</li> <li>◆ Demonstrates the ability to justify legal arguments by use of appropriate legal authorities</li> <li>◆ Expresses responses which have a clear and logical structure</li> <li>◆ Consistently demonstrates precise legal terminology to the case study</li> <li>◆ Demonstrates the ability to present answers which are clearly structured with few typographical or grammatical errors</li> </ul>	<p>Is a co-ordinated piece of work or exam script which:</p> <ul style="list-style-type: none"> <li>◆ Identifies and explains the main legal issues in the case study/studies</li> <li>◆ Inconsistently demonstrates use of relevant legal principles</li> <li>◆ Gives limited appropriate advice which follows from the arguments made</li> <li>◆ Justifies legal arguments by limited use of appropriate legal authorities</li> <li>◆ Has responses without a clear logical structure and which may be repetitive</li> <li>◆ Demonstrates limited use of precise legal terminology to the case study</li> <li>◆ Is satisfactorily presented but may contain several typographical or grammatical errors</li> </ul>

### Support notes

The purpose of this Graded Unit is to integrate and apply the knowledge and/or skills gained by the candidate in individual Units.

The Graded Unit will ensure candidates achieve a Group Award.

This Graded Unit should not replicate assessment of any topics which have been previously assessed.

This is a 1 credit core Unit in the HND Legal Services.

### *Opportunities for developing Core Skills*

Knowledge and skills learned across the Units of the award come together to be applied in a practical context as candidates undertake analysis of a range of complex legal problems in examination conditions. All elements of the Core Skill of Problem Solving, that is planning and organizing, critical thinking, and reviewing and evaluating, will be further developed and enhanced as they apply legal rules and devise effective approaches to a range of professional issues and situations. Resources needed will include skills in organization, time management and personal judgement as well as relevant sources of specialist information.

## **Higher National Graded Unit specification: instructions for designing the assessment task and assessing candidates (cont)**

Candidates should be aware of the requirement to fully evaluate a situation – this could be demonstrated by summarising, explaining or drawing conclusions – before devising a solution, strategy or course of action. They may select or adapt an existing precedent and should explain accurately the relevance of factors involved. Candidates should be critically aware of the need to evaluate their conclusions and consider the possibilities and outcomes of any alternative approaches.

### **Candidates with disabilities and/or additional support needs**

The additional support needs of individual candidates should be taken into account when planning learning experiences, selecting assessment instruments or considering alternative assessment arrangements. For information on these, please refer to the SQA document *Guidance on Assessment Arrangements for Candidates with Disabilities and/or Additional Support Needs*, which is available on SQA's website: [www.sqa.org.uk](http://www.sqa.org.uk).

## General information for candidates

The aim of this Graded Unit is to integrate and apply the knowledge and/or skills gained in individual Units.

The Graded Unit will ensure achievement of a Group Award.

This Graded Unit should not replicate assessment of any topics which have been previously assessed. It is a one credit core Unit in the HND Legal Services and will be graded A–C.

The subject matter for assessment of this Unit will be as follows:

F1A7 34	<i>Scottish Legal System</i>
F19P 34	<i>Scots Private Law</i>
F1A5 34	<i>Property Law</i>
F1B2 34	<i>Commercial Law</i>
F1B1 35	<i>Legal Research Techniques</i>
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F1A8 35	<i>Sheriff Court Civil Procedure</i>
F2E7 35	<i>Executry Law and Practice</i>
F1B2 35	<i>Conveyancing</i>

Assessment of this Graded Unit is by way of a case study. The candidate will be given a copy of the case study approximately fourteen days before the assessment but will not be allowed access to the questions. The assessment is closed-book and therefore the candidate will not be allowed use of any further materials during the assessment.