



Higher National Unit specification

General information for centres

Unit title: Scottish Parliament: Scotland's Devolved Political System

Unit code: F545 34

Unit purpose: This Unit is designed to enable candidates to understand the structure and functions of the Scottish Parliament; the key events that led to its creation; the structure and functions of the Scottish Executive/Government, and the constitutional implications of the introduction of devolution to Scotland. On completion of the Unit candidates should have an understanding of the work undertaken by the Scottish Parliament and Executive/Government; be able to explain the sequence of events which culminated in the introduction of devolution, and analyse the constitutional implications thereof.

On completion of the Unit the candidate should be able to:

- 1 Explain the key events that led to the creation of the Scottish Parliament.
- 2 Explain the structure and functions of the Scottish Parliament.
- 3 Explain the structure and functions of the Scottish Executive/Government.
- 4 Analyse the constitutional implications relating to the introduction of devolution to Scotland.

Credit points and level: 2 HN credits at SCQF level 7: (16 SCQF credit points at SCQF level 7*)

**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.*

Recommended prior knowledge and skills: Access to this Unit is at the discretion of the centre. However, candidates would normally be expected to have communications skills at SCQF level 6 or equivalent.

Core Skills: There will be opportunities to gather evidence towards Core Skills in this Unit, although there is no automatic certification of Core Skills or Core Skills components. Further detail is provided in the support notes.

Context for delivery: If this Unit is delivered as part of a Group Award, it is recommended that it should be taught and assessed within the subject area of the Group Award to which it contributes.

General information for centres (cont)

Assessment: This Unit will be assessed using three instruments of assessment as follows:

One closed-book exercise of **one** unseen question; requiring a response of approximately 500–750 words. Broad guidance on the area(s) to be assessed will be given one week in advance of the assessment date. The use of notes, textbooks, handouts and other materials will **not** be permitted. The assessment will be conducted under supervision. It is recommended that the closed-book assessment is undertaken in one sitting of 60 to 90 minutes duration.

and

One closed-book exercise with **two** unseen questions; each requiring a response of approximately 500–750 words. Broad guidance on the area(s) to be assessed will be given one week in advance of the assessment date. The use of notes, textbooks, handouts and other materials will **not** be permitted. The assessment will be conducted under supervision. It is recommended that the closed-book assessment is undertaken in one sitting of two-three hours' duration.

and

One open-book essay/report of approximately 1,000 words. The question should be handed out at an appropriate point in the delivery of the Unit and a submission date set. A feedback session with the candidate should ensure the authenticity of the candidate's work.

Higher National Unit specification: statement of standards

Unit title: Scottish Parliament: Scotland's Devolved Political System

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The sections of the Unit stating the Outcomes, Knowledge and/or Skills, and Evidence Requirements are mandatory.

Where evidence for Outcomes is assessed on a sample basis, the whole of the content listed in the Knowledge and/or Skills section must be taught and available for assessment. Candidates should not know in advance the items on which they will be assessed and different items should be sampled on each assessment occasion.

Outcome 1

Explain the key events that led to the creation of the Scottish Parliament

Knowledge and/or Skills

- ◆ Seven key events that led to the creation of the Scottish Parliament
- ◆ Influence and importance of each event on the process of creating the Scottish Parliament

Evidence Requirements for Outcome 1

The Evidence Requirements for Outcome 1 will be assessed on the basis of sampling. The assessment will be a closed-book exercise of **one** unseen question, requiring a response of 500–750 words. Broad guidance on the area(s) to be assessed will be given one week in advance of the assessment date. The use of notes, textbooks, handouts and other materials will **not** be permitted. The assessment will be conducted under supervision. It is recommended that the closed-book assessment is undertaken in one sitting of 60 to 90 minutes' duration.

The whole of the content listed in the Knowledge and/or Skills section must be taught and available for assessment, but only **two** key events will be assessed.

Each candidate will need evidence to demonstrate his/her Knowledge and/or Skills by showing that she/he can:

- ◆ explain the influence and importance of two key events that led to the creation of the Scottish Parliament

A different sample should be chosen for each assessment occasion in order that candidates should not be able to predict what will be asked.

Note: Topic areas are listed in the Guidance on content and context.

Higher National Unit specification: statement of standards (cont)

Unit title: Scottish Parliament: Scotland's Devolved Political System

Outcome 2

Explain the structure and functions of the Scottish Parliament

Knowledge and/or Skills

Structure:

- ◆ Unicameral assembly
- ◆ Committee system

Functions:

- ◆ Legislation
- ◆ Scrutiny of Executive/Government
- ◆ Representation
- ◆ Electoral system

Evidence Requirements for Outcome 2

This Outcome will be assessed with Outcome 3. Evidence Requirements can be found after Outcome 3.

The whole of the content listed in the knowledge and/or skills section must be taught and available for assessment, but only **one** structural or **one** functional example will be assessed.

Outcome 3

Explain the structure and functions of the Scottish Executive/Government

Knowledge and/or Skills

- ◆ Structure:
 - First Minister and Cabinet Secretaries
 - Scottish Executive Departments
 - Civil Service of the Scottish Government
- ◆ Functions:
 - Policy development
 - Governance of Scotland on devolved issues
 - Accountability to Scottish Parliament
 - Liaison with Secretary of State for Scotland

Evidence Requirements for Outcomes 2 and 3

The Evidence Requirements for Outcomes 2 and 3 will be assessed on the basis of sampling. The assessment will be a closed-book exercise of **two** unseen questions, requiring a response of 1,000–1,500 words. Broad guidance on the area(s) to be assessed will be given one week in advance of the assessment date. The use of notes, textbooks, handouts and other materials will **not** be permitted. The assessment will be conducted under supervision. It is recommended that the closed-book assessment is undertaken in one sitting of two-three hours' duration.

Higher National Unit specification: statement of standards (cont)

Unit title: Scottish Parliament: Scotland's Devolved Political System

The whole of the content listed in the Knowledge and/or Skills section must be taught and available for assessment, but only **one** structural or, **one** functional example will be assessed.

Each candidate will need evidence to demonstrate his/her Knowledge and/or Skills by showing that he/she can:

- ◆ explain either one structural element of the Scottish Parliament or, one function of the Scottish Parliament
- ◆ explain either the structure or the function of the Scottish Executive/Government

Outcome 4

Analyse the constitutional implications relating to the introduction of devolution to Scotland

Knowledge and/or Skills

- ◆ Implications of devolutionist argument: devolution of powers provides Scottish solutions to Scottish problems
- ◆ Implications of unionist argument: devolution threatens UK sovereignty and creates potential for Scotland to sleepwalk into independence
- ◆ Implications of nationalist argument: devolution offers the potential for separation and acts as a stepping stone to independence

Evidence Requirements

The Evidence Requirements for Outcome 4 will be assessed by one open-book essay/report of 1,000 words. The question should be handed out at an appropriate point in the delivery of the Unit and a submission date set. A feedback session with the candidate should ensure authenticity of the candidate's work.

Each candidate will need evidence to demonstrate his/her knowledge and/or skills by showing that he/she can:

- ◆ analyse the constitutional implications for Scotland of: the introduction of devolution; the demands for more powers, and the possibility of separation from the UK

Administrative Information

Unit code: F545 34

Unit title: Scottish Parliament: Scotland's Devolved Political System

Superclass category: EA

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Higher National Unit specification: support notes

Unit title: Scottish Parliament: Scotland's Devolved Political System

This part of the Unit specification is offered as guidance. The support notes are not mandatory.

While the exact time allocated to this Unit is at the discretion of the centre, the notional design length is 80 hours.

Guidance on the content and context for this Unit

This Unit is designed to provide an understanding of the structure and functions of the Scottish Parliament and Executive/Government; explanation of the key events that led to the creation of the Scottish Parliament, and analysis of the constitutional implications relating to the introduction of devolution to Scotland.

Outcome 1 of this Unit should allow the candidate to understand the importance and cumulative impact that a sequence of key political events had on the establishment of the devolved Scottish Parliament.

It should provide an understanding of the result of the 1979 referendum on Home Rule for Scotland and the frustration felt by many over the 40% amendment introduced by a backbench Labour MP. The candidate will learn about the election, in 1979, of a Conservative government and the perception, at the time, of there being a democratic deficit in relation to Scotland. He/she will also learn of the setting-up, in 1989, of the Scottish Constitutional Convention, the remit of which included agreeing a scheme for an Assembly or Parliament for Scotland.

The election, in 1997, of a Labour administration which had pledged to introduce devolved government to Scotland will also be studied; as will the referendum held in Scotland in 1997 to determine the opinion of the Scottish electorate regarding the introduction of a Scottish Parliament with tax varying powers.

It should help the candidate to understand the importance of the passing of the Scotland Act 1998 and the delineation of retained and devolved powers. In addition, the candidate should be encouraged to evaluate the impact of the first Scottish Parliamentary Election, in 1999, and the formation, thereafter, of a coalition Scottish Executive.

This Outcome will focus on **seven** key events:

- 1 1979 Labour Referendum on Scottish Home Rule.
- 2 1979 UK General Election.
- 3 1989 Scottish Constitutional Convention.
- 4 1997 UK General Election.
- 5 1997 Referendum on the Scottish Parliament.
- 6 1998 Scotland Act.
- 7 1999 Scottish Parliamentary Election.

In relation to (1) candidates should study the 1979 Labour campaign for a Scottish Assembly; known at the time as Home Rule, it later came to be known as Devolution. They should understand the circumstances that surrounded the Referendum held in Scotland that year; the result, and the subsequent debate regarding the last minute inclusion, by Scottish Labour backbencher George Cunningham, of the 40% amendment.

Higher National Unit specification: support notes (cont)

Unit title: Scottish Parliament: Scotland's Devolved Political System

In relation to (2) candidates should be aware of the effect that the result of the UK General Election, in 1979, of a Conservative government is thought to have had on the Scottish electorate; the majority of whom had not voted for this party. Candidates should understand the effect that this perceived lack of democratic legitimacy and the introduction of unpopular measures such as the Community Tax (Poll Tax) may have had on public opinion in Scotland.

In relation to (3) candidates will understand the reasons for the setting-up, in 1987, of the Scottish Constitutional Convention. Candidates will learn about the different sections of Scottish society represented in the Convention, and the work that it undertook to pave the way for the creation of a devolved Scottish parliament.

In relation to (4) candidates will evaluate the likely reasons for the inclusion, in the 1997 Labour manifesto, of a pledge stating that 'For Scotland we propose the creation of a parliament with law-making powers, firmly based on the agreement reached in the Scottish Constitutional Convention.' Candidates will also evaluate the effect on Scottish voter behaviour that this promise may have had on the subsequent Scottish results of the May 6th General Election of that year.

In relation to (5) candidates will analyse the importance, in terms of democratic legitimacy, of the September 11th 1997 Scottish Referendum. Candidates will study the reasons behind the 'Scotland Forward — Yes' and 'Think Twice — No' campaigns and the impact that the referendum results had.

In relation to (6) candidates will explain and discuss the passing of the Scotland Act 1998 and the practical and constitutional implications of there now being a delineation between those powers held by Westminster and those devolved to Holyrood.

In relation to (7) candidates will evaluate the results of the 1999 Scottish Parliamentary Election; the party political make-up of the chamber, and the formation of the first of two Labour/Liberal Democrat coalition Executives.

In relation to **Outcome 2**, the candidate will be expected to understand and explain the structure and functions of the Scottish Parliament.

In relation to the Parliament's structure, candidates will study the single chamber legislative assembly and the role of its key participants including the Presiding Officer and the Members of the Scottish Parliament (MSPs). In addition, candidates will consider the greater onus of responsibility placed on a committee system within a parliament that has no second chamber to scrutinise the decisions made by the first.

In relation to the Parliament's functions, candidates should study the legislative process; the limits placed on Holyrood as a result of those powers reserved to Westminster, and the influence of the Scottish Executive/Government over the legislative agenda. The responsibility of the Scottish Parliament to scrutinize the actions of the Scottish Executive/Government must also be examined. In addition, candidates will explain the role of MSPs in relation to a process of representative democracy, whereby they are expected to help the parliament achieve one of its primary aims; that of providing: Scottish solutions to Scottish problems. Candidates will also study the Additional Member System (AMS) of proportional representation used in Scottish parliamentary elections, and its ability to provide a parliament which better represents the Scottish people than a First Past the Post (FPTP) system would have been able to do.

Higher National Unit specification: support notes (cont)

Unit title: Scottish Parliament: Scotland's Devolved Political System

In relation to **Outcome 3**, the candidate will be expected to understand and explain the structure and functions of the Scottish Executive/Government.

In relation to the Executive/Government's structure, candidates will explain the relationship between the First Minister, Cabinet Secretaries and the Civil Service of the Scottish Government. They will study the process by which the First Minister and the Scottish Cabinet are appointed, and of the difficulties inherent in a system of proportional representation that is likely to result in either coalition or minority government. Candidates will be aware of the system of collective responsibility that Cabinet Secretaries are required to adhere to. In addition, candidates should understand the significance of the fact that the Civil Service of the Scottish Government is staffed by UK civil servants and not a separate administrative body.

In relation to the functions of the Scottish Executive/Government, candidates should learn about the process by which policy is developed by both coalition and minority administrations, and of the negotiations and compromises required in order to proceed. They will study the way that Scotland is governed regarding those issues devolved to the Scottish Parliament, and the conflict and cooperation that occurs with the UK administration regarding issues retained by Westminster. Candidates will also explain the ways in which the Scottish Executive/Government is scrutinized, and held to account, by the Scottish Parliament; using question times, the committees and other means. In addition, candidates will evaluate the liaison role undertaken by the Secretary of State for Scotland and the difficulties that this relationship can experience, especially when the Scottish and UK administrations are controlled by different, and competing, political parties. Candidates should understand the importance of the use of Scottish-UK concordats as a way of avoiding inter-governmental difficulties.

Outcome 4 should allow the candidate to understand and analyse the constitutional implications associated with the introduction of a devolved system of government to Scotland.

It should provide an understanding of the arguments put forward by those who believe that a measure of devolved government is the best way to ensure that Scottish solutions are found for Scottish problems. The candidate will also study the unionist view that sees devolution as a threat to the sovereignty of the UK by creating the potential for Scotland to sleepwalk into independence. In addition, candidates will study the nationalist argument that sees devolution as being a means to an end; it offers the potential for separation and acts as a stepping stone to independence.

This Outcome will focus on **three** key arguments of constitutional importance:

- 1 The arguments for, and the implications for Scotland and the UK of, the continuance of the devolution settlement.
- 2 The arguments against devolution and the belief held by many unionists that its continuance could ultimately lead to the separation of Scotland from the rest of the UK.
- 3 The arguments for the separation of Scotland from the rest of the UK and the constitutional implications, from a nationalists perspective, of the devolved settlement.

Higher National Unit specification: support notes (cont)

Unit title: Scottish Parliament: Scotland's Devolved Political System

In relation to (1) candidates should analyse the reasons why both the Labour and Liberal Democrat parties (both unionist parties) campaigned enthusiastically for the introduction of devolution to Scotland. They should also examine the steps taken by both parties, in Scotland, to try to ensure that its introduction was a success. Candidates should study the circumstances surrounding the formation of the two Labour/Liberal Democrat coalition executives and the effect that they may have had in helping to establish the devolved system and institutions. In addition, candidates should evaluate the likely reasons behind the motion, passed by the Scottish Parliament, to form a Constitutional Commission; its primary aims being: to ensure that proposals for constitutional developments are debated and decided in Scotland; to examine how more participative government could be implemented in Scotland; to clarify the constitutional implications of various forms of relationships with other countries of the UK, and to prepare the broad outline of a draft Constitution for Scotland. Candidates should also be aware of the negative perceptions of Scottish devolution that exist outside Scotland, and the impact that they could have in the future. These can include: the continued relevance of the West Lothian Question; concerns regarding funding allocation using the Barnett Formula, and the implications of Scotland collecting some taxes directly.

In relation to (2) candidates should evaluate the unionist view, as expressed by the Conservative Party, which considered the introduction of devolution to Scotland as being a threat to the continued sovereignty of the UK, and a potential vehicle to enable Scotland to become independent. Candidates should consider the change of heart experienced by the Scottish Conservatives; having learned the results of the 1997 referendum on devolution, and also having managed (as a result of the system of proportional representation introduced) to win seats in the Scottish Parliament, at a time when they had none at Westminster. In addition, candidates should explain Conservative participation in the Constitutional Commission, set up to consider, amongst other things, increasing the powers of the Scottish Parliament — something that one would not previously have expected Conservatives to support. Candidates will, therefore, consider the awkward position that those opposed to devolution, but required to engage with it, find themselves in.

In relation to (3) candidates should analyse the separatist view, as expressed by the Scottish National Party (SNP), which considers devolution to be a stage in the path to its ultimate goal of independence for Scotland. Candidates should evaluate the actions of the minority government, formed by the SNP in 2007, in trying to convince the Scottish electorate of the benefits that, it argued, would accrue from Scotland being independent of the United Kingdom, whilst holding membership of the European Union. The launch of the National Conversation, as a means of encouraging Scots to consider their nation's constitutional future, is a useful example of action taken.

Guidance on the delivery and assessment of this Unit

The delivery of the Unit should be candidate centred and the approach may be varied to suit the needs of the group. Candidates should be encouraged to appreciate the dynamic, and evolving, nature of the subject. This means that lectures, tutorial/seminar discussions and library/internet research should include analysis of current media and academic data. Where appropriate, audio-visual resources, visiting speakers, and visits to the Scottish Parliament could also be used in order to enhance the candidate's knowledge and understanding of Scotland's devolved political system.

Delivery may best be served by introducing candidates to the key events that led to the creation of the Scottish Parliament. This then should establish the context within which the structure and functions of the Scottish Parliament and Scottish Executive/Government can be taught.

Higher National Unit specification: support notes (cont)

Unit title: Scottish Parliament: Scotland's Devolved Political System

Candidates should then look to the future by studying the constitutional implications relating to the introduction of devolution to Scotland.

For Outcome 1, candidates should cover the seven key events in chronological order — as they appear in the **Guidance on content and context**. This would include explanation of the immediate impact and longer term influence that this cumulative sequence of events may have had on the establishment of the devolved Scottish Parliament.

For Outcome 2, candidates should also follow the order presented in the **Guidance on content and context** section. Initially the unicameral assembly of the Scottish Parliament should be examined. This should be followed by study of the committee system at Holyrood. Having gained an understanding of the Parliament's structure, candidates should then focus on the main functions of the Parliament. These should include: the legislative process; parliamentary scrutiny of the Executive/Government, and representative democracy through the use of a system of proportional representation.

For Outcome 3, candidates should continue to follow the order presented in the **Guidance on content and context** section. The structure of the Executive/Government should be covered through study of the roles of the First Minister and Cabinet Secretaries; Scottish Executive/Government Departments, and the Civil Service of the Scottish Executive/Government. Candidates should then progress to a study of the various functions of the Executive/Government. These should include: executive policy development and the governance of Scotland on devolved issues; being held to account by the Scottish Parliament, and liaising with the Secretary of State for Scotland.

For Outcome 4, candidates could study the constitutional implications, presented in the **Guidance on content and context** section, in any order. For example, it may be useful to start with an analysis of the existing devolution settlement and the argument which claims that devolved government provides Scottish solutions to Scottish problems. Candidates could then analyse the claim made by some unionists that devolution represents a clear threat to the sovereignty of the United Kingdom. This would then lead candidates on to an analysis of the view, held by many nationalists, that devolution may be used as the thin end of a wedge that will ultimately lead to the creation of an independent and sovereign Scottish state.

Opportunities for developing Core Skills

This Unit provides a range of opportunities for developing four of the five Core Skills. The extent of development will depend on the learning opportunities chosen by the candidate or the delivery and assessment methods selected by the tutor.

Communication — the delivery and assessment of this Unit may contribute towards the component Written Communication at SCQF level 6 if the assessment is an essay. The general skill for this component is 'Produce a document that conveys several pieces of information, opinions or ideas'. Opportunity also exists for the development of the oral component 'a spoken interaction between the learner and one or more people' by setting tasks for group activity and arranging joint information feedback sessions.

Higher National Unit specification: support notes (cont)

Unit title: Scottish Parliament: Scotland's Devolved Political System

In both formative and summative assessment the candidate should be encouraged to present all essential ideas/information and supporting detail in a logical and effective order; use a structure that takes account of purpose and audience and links major and minor points in ways which assist the clarity and impact of the writing; use conventions which are effective in achieving the purpose and adapted as necessary for the target audience and use spelling, punctuation and sentence structures which are consistently accurate.

These skills can be developed through formative activities, such as short essays, without being formally assessed for Core Skill certification.

Information and Communication Technology — opportunities to develop this skill can easily be incorporated into the delivery of the Unit by supporting the candidate to carry out information searches using efficient and effective search strategies. This will contribute towards the component Accessing Information Using ICT at SCQF level 5. This Core Skill could be developed without formal certification.

Problem Solving — this Core Skill will be developed at SCQF level 6 throughout this Unit particularly in planning the tasks. Tutors should encourage learners to explore appropriate strategies for managing their time and evaluating the considerable amount of data available on the topics contained in this Unit. Tutors may actively choose to further develop this skill by setting tasks for group activity and arranging joint information feedback sessions. This will contribute towards the component Critical Thinking where the general skill of 'identifying and analysing the factors affecting a situation or issue' will be developed', the component Planning and Organising where the candidate will 'develop an action plan to deal with the factors affecting the situation or issue' and the component Reviewing and Evaluating where the candidate will 'decide on the criteria to judge how effective each stage of the problem solving activity has been'. This Core Skill could be developed without formal certification.

Working with Others — A tutor may actively choose to develop the general skill of 'Working co-operatively with others on an activity and/or activities which involve non-routine interactions' at SCQF level 5 by setting tasks for group activity and arranging joint information feedback sessions. Candidates could be encouraged to collaborate at the early stages of their search activities.

Open learning

This Unit could be delivered by open or distance learning; however, it will require planning by the centre to ensure sufficiency and authenticity of candidate evidence. Arrangements would have to be made to ensure that the assessments covering Outcomes 1, 2 and 3 were conducted under supervision.

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 Outcomes for Units. Further advice can be found in the SQA document *Guidance on Assessment Arrangements for Candidates with Disabilities and/or Additional Support Needs* (www.sqa.org.uk).

General information for candidates

Unit title: Scottish Parliament: Scotland's Devolved Political System

This Unit will introduce you to the discipline of Scottish devolved politics. It will allow you to understand the nature of the devolved political system, the key events that led to the creation of the Scottish Parliament and its structure and functions. It will also allow you to understand the structure and functions of the Scottish Executive/Government and analyse the constitutional implications relating to the introduction of devolution to Scotland.

This Unit will be assessed using three instruments of assessment as follows:

A closed-book exercise of **one** unseen question, requiring a response of approximately 500–750 words; and a closed-book exercise of **two** unseen questions, each requiring a response of approximately 500–750 words. Broad guidance on the area(s) to be assessed will be given one week in advance of each assessment date. The use of notes, textbooks, handouts and other materials will **not** be permitted. The assessments will be conducted under supervision. It is recommended that the first closed-book assessment is undertaken in one sitting of 60 to 90 minutes, and the second in two-three hours.

One open-book essay/report of 1,000 words. The question will be handed out at an appropriate point in the delivery of the Unit and a submission date set. A feedback session with your tutor should ensure the authenticity of your work.

During this Unit you will be encouraged to realise that it is essential that you keep informed and up to date on current affairs and Scottish devolved politics.