Arrangements for:

Professional Development Award in Debt Recovery at SCQF level 8

Group Award Code: G95V 48

Validation date: October 2008

Date of original publication: February 2009

Version: 01

Acknowledgement

SQA acknowledges the valuable contribution that Scotland's colleges have made to the development of Higher National qualifications.

History of changes

It is anticipated that changes will take place during the life of the qualification, and this section will record these changes. This document is the latest version and incorporates the changes summarised below.

Version number	Description	Date	Authorised by

Contents

1 Introduction ... 1
2 Rationale for the development of the Professional Development Awards for paralegals 1
3 Aims of the Group Award ... 3
3.1 General aims of the Group Award ... 3
3.2 Specific aims of the Group Award(s) ... 3
3.3 Target groups ... 4
3.4 Employment opportunities ... 4
4 Access to Professional Development Awards ... 4
4.1 Access principles ... 4
4.2 Recommended access qualifications ... 5
4.3 Other equivalent qualifications or appropriate work experience ... 5
5 Debt Recovery PDA Group Award structure ... 5
5.1 Framework ... 5
5.2 Mapping information ... 6
5.3 Articulation, professional recognition and credit transfer ... 6
6 Approaches to delivery and assessment ... 6
7 General information for centres ... 7
8 General information for candidates ... 7
9 Glossary of terms ... 9

1 Introduction

This is the Arrangements Document for the Professional Development Award (PDA) in Debt Recovery which was validated in October 2008. This award is a revision of the Certificate in Debt Recovery. This document includes: background information on the development of the Group Award, its aims, guidance on access, details of the Group Award structure, and guidance on delivery.

The award is a revision of the Certificate in Debt Recovery and has been revised using the design principles approved by SQA's Qualifications Committee in May 2005 for Professional Development Awards.

The award will be offered by Scotland's colleges either by evening classes, blended learning or by infill into the HNC/D Legal Services course on a part time basis.

2 Rationale for the development of the Professional Development Awards for paralegals

At present in Scotland there are approximately 10,000 solicitors with around a further 26,000 fee-earning staff accounting for income estimated at £1 billion per annum. In addition, there is a pattern of steady growth in the number and size of legal departments in the public sector and in private companies. Paralegals are playing an increasingly important part in the provision of legal services and are a big growth area of the economy in Scotland.

To date there has been no formal regulation of paralegals, however as the legal profession has become much more receptive to the contributions paralegals make, the Law Society of Scotland and the Scottish Paralegal Association (SPA) have been working together towards regulation of paralegals and the implementation of the new 'Law Society of Scotland Registered Paralegal Status'. This new scheme will set out qualifications for admission to the register and define competencies and continuing professional development for paralegals. It will also set out a code of conduct for paralegals and their employers. The benefits for paralegals joining the scheme will include professional recognition, career opportunities and ongoing training.

To register for the scheme paralegals will have to show their competence by showing they have attained a formal qualification and/or have relevant work experience.

SQA has worked closely with the Law Society of Scotland and the SPA to develop Professional Development Awards to help meet the competencies required to register.

To ensure validity and recognition of the PDAs within the industry, SQA jointly awards the PDAs with the SPA, which is formally recognised by the Law Society of Scotland as the body that represents the interests and promotes the development of paralegals in Scotland.

To date there have been three PDA frameworks developed, PDA Conveyancing, PDA Executries and a PDA Debt Recovery. Further PDAs will be developed through time.

The frameworks for the PDAs have been developed to reflect the views of employers, Scotland's colleges, the Law Society of Scotland, the Scottish Paralegal Association and practising paralegals.

The principal opportunities for paralegals who complete a PDA are as specialist paralegals within the legal services area, or a variety of positions within both the public and private sectors such as the Police Force, banking, finance, insurance, estate agencies and central and local government.

Rationale for the PDA in Debt Recovery

In addition to the above information SQA's existing Certificate in Debt Recovery was first introduced in 1998 and has been due for review since the introduction of the revised Higher National Certificate and Higher National Diploma in Legal Services in August 2007.

One of the objectives in the revision of the award framework was to update it to highlight to prospective employers the practical and vocational relevance of the award. Employers (and others) had stressed that the current Certificate in Debt Recovery appeared to be a collection of Units without much coherence and no apparent vocational relevance to the workplace**.** It was important therefore to present the Units in the PDA award in such a way as to maintain and highlight existing pathways into employment as a paralegal (thus reflecting the current market of mature candidates already in employment).

The PDA also required to be represented in such a way as to emphasise its vocational relevance — both for specialist paralegal roles (principally for full time candidates) and the wider relevance to administrative, supervisory management, business and law related careers such as entry to local authorities or estate agency.

A steering group was set up to consider the development of the PDA and approve the final structure. In drawing up the structure for the revised award recommendations from the steering group meeting were considered and taken on board where appropriate.

A sub group was formed from various personnel who worked in the legal environment, mainly as either solicitors or paralegals but the important element was that each member has expertise in the area of conveyancing.

It was agreed that the PDA should incorporate certain common skills which should be in all of the PDA awards. These were identified as research skills, knowledge of the court system, customer relations, ethical issues and the ability to draw up legal documentation. The Units *Legal Research Techniques* and *Legal Secretarial Practice* already existed in the HNC/HND Group awards following discussion and agreement with the steering group these units were adopted into the PDA framework. A new Unit called *Legal and Ethical Issues* was validated to cover the court system, customer relations and ethical issues. It encompasses a basic understanding of the legal system including sources of Scots law and the composition and powers etc of the civil and criminal courts. It also incorporates an understanding of the control the Law Society has together with the Solicitors Account Rules and Money Laundering Regulations. It was agreed that these three Units would be part of all the PDA awards together with the subject specific Units for each of the PDA awards.

3 Aims of the Group Award

General aim of all PDA awards

Professional Development Awards are designed for people who are normally in a career or vocation who wish to extend or broaden their skills base. However in some cases they will be designed for those wishing to enter employment. They will assess and certificate progression in a defined set of specialist occupational areas.

3.1 General aims of the Group Award

The general aims of the PDA are to:

1 Provide candidates with personal and professional development opportunities.
2 Provide a continuing professional development (CPD) vehicle for candidates employed in the paralegal area.
3 Develop study and research skills.
4 Enable career progression.
5 Enable progression within the SCQF.

3.2 Specific aims of the Group Award(s)

The specific aims of the PDA are to:

6 Develop the competencies required by employers to undertake specialist paralegal support roles within the legal profession.
7 Develop and apply a range of vocational knowledge and skills in an integrated manner to the analysis of complex legal problems.
8 Develop skills in researching, planning, organising and investigate legal issues and problems in depth.
9 Develop and adopt a proactive approach to problem solving.
10 Develop the capacity to respond quickly to the challenges posed by changes in the law and business/legal environment.
11 Provide the skills and competencies required to progress to registration as a qualified paralegal.
12 Further develop skills in the practical and procedural application of law in Scotland and Scotland's Courts.

3.3 Target groups

The PDA in Debt Recovery at SCQF level 8 is suitable for a wide range of candidates including:

- Debt recovery paralegals who are looking for a nationally recognised qualification to recognise their existing skills.
- Candidates in employment seeking a vehicle for CPD.
- Adult returners to education.
- Candidates undertaking the HNC/HND Legal Services awards who want to specialise in the area of debt recovery.

When registering for the PDA candidates can enrol with SPA as a student member or at a higher level depending on relevant work experience. They will be able to:

- Have a recognised Grading Scheme.
- Keep abreast of developments in law through CPD.
- Join the members reward scheme.
- Attend the SPA Annual Conference.
- Be part of a national network of paralegals.

It may also be suitable for HNC/HND Legal Services students who wish to specialise in one particular area or for existing paralegals wishing to gain skills and certification in additional areas of law.

3.4 Employment opportunities

The PDA specifically meets the needs of existing debt recovery paralegals who are undertaking the award either to enable certification of their existing employment position to allow them to register under the new Paralegal Scheme or to progress to a higher paralegal grade with the SPA. Debt recovery paralegals could be employed within Law Offices, Banks or Building Societies and Local Authorities

4 Access to Professional Development Awards

4.1 Access principles

Access to the award is at the discretion of individual centres, however admission should be based on a broad approach to candidate selection, but at the same time should ensure that candidates are chosen who have the potential and ability to complete the awards successfully.

4.2 Recommended access qualifications

- at least one Higher (SCQF level 6) in English, Modern Studies, History or Economics or
- an appropriate grouping of National Units in Legal Services or Communication
- an International English Language Test score of 5.5 (recommended Higher National entry level)
- Higher National Unit DE1K 33 (*Workplace Communication in English*)

4.3 Other equivalent qualifications or appropriate work experience

Where a candidate has relevant experience working in a legal environment this can be taken as a satisfactory access qualification. Where a candidate has no formal qualifications or legal experience but has extensive work experience in another field or is a mature candidate, access to the awards will be at the discretion of the centre.

5 Debt Recovery PDA Group Award structure

There are three Units in common within the Professional Development awards. These Units are *Legal Research Techniques* (SCQF level 8), *Legal Secretarial Practice* and *Legal and Ethical Issues*.

The final structure of the Debt Recovery PDA was agreed by all members of the steering group. The Units also form part of the structure of the HNC/HND Legal Services Group Award which would also allow the candidate to progress to the HNC/HND if they wanted.

5.1 Framework

Professional Development Award in Debt Recovery

Unit title	Code	SCQF credit points	SCQF level	SQA credit value
Sheriff Court Civil Procedures	F1A8 35	16	8	2
Bankruptcy and Diligence	F19V 35	8	8	1
Legal Research Techniques	F1B1 35	8	8	1
Legal Secretarial Practice	F1A3 34	8	7	1
Legal and Ethical Issues	F50D 35	8	8	1

5.2 Mapping information

Unit title	Code	Linked to general/ specific aims
Sheriff Court Civil Procedures	F1A8 35	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Bankruptcy and Diligence	F19V 35	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Legal Research Techniques	F1B1 35	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Legal Secretarial Practice	F1A3 34	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Legal and Ethical Issues	F50D 35	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12

5.3 Articulation, professional recognition and credit transfer

Candidates who achieve the award and are able to demonstrate competence will be able to register with the Law Society of Scotland under the new paralegal scheme. The PDA is jointly awarded with the SPA and candidates can once registered for the award apply for membership of the SPA at either student level or at a higher grade depending on their work experience.

Candidates can also progress to the HNC/HND Legal Services awards.

6 Approaches to delivery and assessment

Candidates gain experience in applying their knowledge of the law to practical, real-life scenarios, rather than simply reproducing their knowledge, so that they can employ the skills required of them by employers either as a specialist paralegal or in an administrative, business, commercial or supervisory management role.

SQA are presently investigating the development of e-learning materials for the Units within the awards to allow colleges to offer more flexible routes to achievement

7 General information for centres

Disabled candidates and/or those with additional support needs

The additional support needs of individual candidates should be taken into account when planning learning experiences, selecting assessment instruments, or considering whether any reasonable adjustments may be required. Further advice can be found on our website **www.sqa.org.uk/assessmentarrangements**.

Internal and external verification

All instruments of assessment used within this/these Group Award(s) should be internally verified, using the appropriate policy within the centre and the guidelines set by SQA.

External verification will be carried out by SQA to ensure that internal assessment is within the national guidelines for these qualifications.

Further information on internal and external verification can be found in *SQA's Guide to Assessment and Quality Assurance for Colleges of Further Education* **(www.sqa.org.uk)**.

8 General information for candidates

The PDA is jointly awarded with the Scottish Paralegal Association (SPA) which is formally recognised by the Law Society of Scotland as the body that represents the interests and promotes the development of paralegals in Scotland. When registering for the PDA students can enrol with SPA as a student member or at a higher level depending on relevant work experience. They will be able to:

- have a recognised Grading Scheme
- keep abreast of developments in law through CPD
- join the members reward scheme
- attend the SPA Annual Conference
- be part of a national network of paralegals

These awards may be of interest to you if you are already working as, or if you wish to work as a paralegal in a law firm or work within a commercial organisation. If you are already working as a paralegal, the awards will enable you to gain a nationally recognised qualification from SQA, which provides evidence of your practical, vocationally relevant skills and will allow you to register under the new regulation of Paralegals scheme which is being implemented by the Law Society of Scotland and the SPA.

If you do not wish to become a qualified paralegal, there are other options available. The PDA award also enables progression on to the HNC/HND Legal Services course and from there you could progress on to a degree course.

If you wish to progress onto an LLB degree programme with a view to eventually becoming a solicitor, the HNC and HND awards are recognised by some universities and each award will allow you to start in year 1 of the LLB degree, subject to the universities' normal admissions procedures.

Progression into a BA Law degree or other degree programmes is also possible from the HNC/HND in Legal Services, although this is not the route you should choose if you wish to become a solicitor.

Other vocational opportunities exist on completion of these awards in a variety of different sectors such as central and local government, banking, finance, insurance and administration.

9 Glossary of terms

SCQF: This stands for the Scottish Credit and Qualification Framework, which is a new way of speaking about qualifications and how they inter-relate. We use SCQF terminology throughout this guide to refer to credits and levels. For further information on the SCQF visit the SCQF website at **www.scqf.org.uk**

SCQF credit points: One HN credit is equivalent to 8 SCQF credit points. This applies to all HN Units, irrespective of their level.

SCQF levels: The SCQF covers 12 levels of learning. HN Units will normally be at levels 6–9. Graded Units will be at level 7 and 8.

Subject Unit: Subject Units contain vocational/subject content and are designed to test a specific set of knowledge and skills.

Graded Unit: Graded Units assess candidates' ability to integrate what they have learned while working towards the Units of the Group Award. Their purpose is to add value to the Group Award, making it more than the sum of its parts, and to encourage candidates to retain and adapt their skills and knowledge.

Dedicated Unit to cover Core Skills: This is a non-subject Unit that is written to cover one or more particular Core Skills.

Embedded Core Skills: This is where the development of a Core Skill is incorporated into the Unit and where the Unit assessment also covers the requirements of Core Skill assessment at a particular level.

Signposted Core Skills: This refers to the opportunities to develop a particular Core Skill at a specified level that lie outwith automatic certification.

Qualification Design Team: The QDT works in conjunction with a Qualification Manager/Development Manager to steer the development of the HNC/HND from its inception/revision through to validation. The group is made up of key stakeholders representing the interests of centres, employers, universities and other relevant organisations.

Consortium-devised HNCs and HNDs are those developments or revisions undertaken by a group of centres in partnership with SQA.

Specialist single centre and specialist collaborative devised HNCs and HNDs are those developments or revisions led by a single centre or small group of centres who provide knowledge and skills in a specialist area. Like consortium-devised HNCs and HNDs, these developments or revisions will also be supported by SQA.