

## Higher National Unit Specification

### General information for centres

**Unit title:** Learner Support: Related Legislation

**Unit code:** DP99 34

**Unit purpose:** This Unit is designed to provide the candidate with knowledge of current legislation for additional support for learning and to develop the candidate's understanding of the relevance of this legislation to the role and responsibilities of a learning facilitator/assistant.

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

- 1 Identify relevant legislation relating to Additional Support for Learning and explain how it relates to the role of the learning facilitator/assistant.
- 2 Demonstrate understanding of current legislation relating to workplace practice in supporting learning.
- 3 Evaluate the impact of recent legislation for both the learner and the learning facilitator/assistant.

**Credit points and level:** 1 HN Credit at SCQF level 7: (8 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:** Candidates should have good communication skills and problem solving skills. No previous knowledge of legislation is required.

**Core Skills:** There may be opportunities to gather evidence towards Core Skills in this Unit although there is no automatic certification of Core Skills or Core Skills components.

**Context for delivery:** This Unit is one of six forming the PDA Advanced Certificate: Learner Support and is intended for candidates who are following a training programme for Learning Facilitators/Assistants. However, it is also a free-standing Unit and may be delivered independently for Continuing Professional Development and other purposes.

**Assessment:** This Unit is assessed by two instruments of assessment: Outcomes 1 is assessed by a series of extended response questions.

Outcomes 2 and 3 are assessed by a report on a project resulting either from a work-related task or a case study.

## **Higher National Unit specification: statement of standards**

**Unit title:** Learner Support: Related Legislation

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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**

Identify relevant legislation relating to Additional Support for Learning and explain how it relates to the role of the learning facilitator/assistant

#### **Knowledge and/or skills**

- ◆ Legislation — current and proposed relating to Disability Discrimination
- ◆ Impact of legislation on education and related services
- ◆ Disability Discrimination Act
- ◆ Principles of exclusion
- ◆ Human Rights Act
- ◆ Equal opportunities
- ◆ Health and Safety at Work Act
- ◆ Joint responsibilities and how the law affects teaching
- ◆ Freedom of Information
- ◆ Codes of Practice
- ◆ Recent Policy Initiatives

#### **Evidence Requirements**

Candidates will need to provide evidence to demonstrate their knowledge and/or skills by showing that they can:

- ◆ discuss current legislation and demonstrate how it impacts on the teaching and learning environment
- ◆ identify responsibilities of the learning facilitator/assistant which relate to issues in the legislation

#### **Assessment guidelines**

This Outcome is assessed by a series of extended response questions which should test the candidate's knowledge of the effect and influence of key legislation on provision for individuals with additional support needs and its impact on the role of the learning facilitator/assistant.

## **Higher National Unit specification: statement of standards (cont)**

**Unit title:** Learner Support: Related Legislation

### **Outcome 2**

Demonstrate understanding of current legislation relating to workplace practice in supporting learning

#### **Knowledge and/or skills**

- ◆ Need for compliance
- ◆ Value of good practice
- ◆ Content and implications of legislation for supporting learning
- ◆ Problem solving — practical solution focus
- ◆ Evaluation

#### **Evidence Requirements**

Candidates will need to provide evidence to demonstrate their knowledge and/or skills by showing that they can:

- ◆ explain the need for compliance
- ◆ identify the value of good practice
- ◆ explain the legislation and the related implications
- ◆ reflect on and evaluate the legislation

#### **Assessment guidelines**

The assessment of Outcome 2 is combined with the assessment of Outcome 3.

### **Outcome 3**

Evaluate the impact of recent legislation for both the learner and the learning facilitator/assistant

#### **Knowledge and/or skills**

- ◆ Two items of relevant and current legislation (to include the Disability Discrimination Act) and impact on learners
- ◆ Methods of research — (questionnaire; checklist; interviews; audit tool)
- ◆ Analytical skills
- ◆ Reporting methods

#### **Evidence Requirements**

Candidates will need to provide evidence to demonstrate their knowledge and/or skills by showing that they can:

- ◆ research and explain the impact of legislation on the educational environment/workplace
- ◆ identify how this impacts on the role of the learner and learning facilitator/assistant

## **Higher National Unit specification: statement of standards (cont)**

**Unit title:** Learner Support: Related Legislation

### **Assessment guidelines**

The assessment of Outcome 3 is combined with the Outcome of Outcome 2 and consists of a small research project which focuses on the impact on the workplace of at least two items of current legislation, one of which should be DDA (Disability Discrimination Act). It should be undertaken using stated chosen method(s) of research e.g. student/staff questionnaire, checklist, interviews, audit tool etc. The results should be collated, presented and analysed demonstrating recognition and understanding of compliance and good practice. The report should be linked to a contextualised case study which evidences the impact of the legislation on the learner and learning facilitator/assistant, and reflects on the need for compliance and the value of good practice.

## Administrative Information

**Unit code:** DP99 34  
**Unit title:** Learner Support: Related Legislation  
**Superclass category:** GA  
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### History of Changes:

Version	Description of change	Date

**Source:** SQA

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

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## Higher National Unit specification: support notes

### Unit title: Learner Support: Related Legislation

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 40 hours.

### Guidance on the content and context for this Unit

This Unit has been developed as part of the PDA Advanced Certificate: Learner Support and is for candidates working in some capacity to support learners within a formal learning environment. Candidates will normally be employed in work of this nature, but in special circumstances, may be seeking employment in Learning Support. Candidates will be expected to show that they can transfer the knowledge and skills they develop to relevant practical situations with learners.

The development of this PDA has been initiated as a response to changes within the FE sector influenced by the amended DDA (Disability Discrimination Act 1995) and the Beattie Inclusiveness Agenda. As a result the sector has taken a pro-active approach to ensure that it both meets the needs and encourages participation of individuals with diverse needs. To do this many of the FE colleges have employed learning facilitators/learning assistants to provide, as appropriate, support to learners with additional support needs. In the main, appropriate college lecturing staff have been provided with the opportunity of further training through the BRITE Initiative (Beattie Resources for Inclusiveness in Technology and Education) to ensure that the needs of learners can be met. It has been through this activity that the need for a training course for learning facilitators has emerged. This PDA is therefore the first attempt to formalise training for such individuals to ensure that we are delivering a quality provision for all learners.

**Outcome 1** introduces the candidate to current relevant legislation. Examples of the legislation should be provided with explanations of how it relates to the role of the learning facilitator/assistant. Knowledge of DDA (the Disability Discriminatory Act), the Additional Support for Learning Act, and the Code of Practice Post-16 is of particular relevance. Other relevant legislation, e.g. Special Educational Needs and Disability Act, Data Protection Act, Human Rights Act, Health and Safety at Work Act as well as relevant codes of practice, should be discussed. Group discussions and individual tasks/assignments should focus clearly on links between statutory obligations and the learning facilitator/assistant role both in terms of the necessity of compliance and the value of good practice. Case studies and/or hypothetical practical situations can be outlined and candidates invited to identify related legislation and to propose appropriate solutions which show their understanding of its relevance to the role of a learning facilitator/assistant.

**Outcome 2** is concerned with the candidate's understanding of how current legislation affects workplace practice. This Outcome gives the candidate the opportunity to undertake a research project to gather evidence of the impact of legislation in the workplace. This should be undertaken in their current workplace or an equivalent work placement. The report and analysis of the research, in conjunction with a relevant case study or account of a work related incident or occurrence, will merge the learning of all the Outcomes and provide assessment evidence for Outcome 2 and 3. The chosen case study or work related incident may also provide evidence of the candidate's practical skills and how they engage with the student and support the student and is therefore linked to the Unit Learner Support: Principles and Practice.

## Higher National Unit specification: support notes (notes)

### Unit title: Learner Support: Related Legislation

**Outcome 3** requires the candidate to evaluate how current legislation impacts on the learner and the role of the learning facilitator/assistant. A research project and related case study will give the candidate the opportunity to demonstrate understanding and knowledge of compliance with legislation, good practice and shared responsibility. The method of research and style of report can be chosen by the candidate and should focus on at least two items of legislation, one of which should be DDA (the Disability Discriminatory Act). An analysis of collected data will further evidence the candidate's understanding of legislative impact on the workplace and the case study will focus that understanding on the identification of its effect on learner and learning facilitator/assistant.

### Guidance on the delivery and assessment of this Unit

As an SQA course, the PDA or its component Units can be delivered by any approved centre. However, a partnership approach is envisaged. Access Centres are best placed to deliver and assess particular aspects of training. Colleges will however require to support and mentor their learning facilitators on an on-going basis ensuring that they get access to learners, facilities and materials to support the generation of evidence for the award. The award has been designed to ensure that a higher percentage of the evidence for knowledge and skills relates to real-life practice. It is student centred and the delivery model should ensure that candidates develop the skill of independent learning.

The Unit has been developed as part of a PDA but could be delivered as a free standing Unit. Candidates must have access to students either in their usual place of work, a work placement or an exchange placement with another candidate seeking to achieve this Unit. The Unit could provide additional assessment evidence for the Unit Learner Support: Principles and Practice. Candidates should be provided with summaries of, and sources of additional information on, relevant legislation and forthcoming amendments. Teaching methods and resources could include exposition, discussion, question and answer, exemplars, students' own experiences, videos, articles from journals and other publications, extracts from legislation and appropriate websites.

**Outcome 1** will require tutor input on the existence, outline, content and relevance of existing legislation; students being given the opportunity to independently seek further information with guidance. Assessment of this Outcome is by a series of extended response questions. These will test the candidate's acquired knowledge and give them the opportunity to demonstrate that they can identify related articles of legislation while explaining how these relate to the learning facilitator's/assistant's role. The questions could be based on scenarios or circumstances in which the candidate is required to recognise statutory obligations and suggest actions and/or approaches which involve the learning facilitator/assistant.

**Outcomes 2 and 3** are assessed by a report on a small project. The work-related task or case study on which it is based should be chosen by the candidate and should be related to their current workplace, work placement or exchange placement. The related research evidence gathered in the project should also be generated in their current place of work or equivalent. The completed report should be about 2,000 words in length. If the candidate themselves gives support to a student in their chosen case study then assessment evidence for the Unit Learner Support: Principles and Practice could potentially be recorded.

## **Higher National Unit specification: support notes (notes)**

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### ***Opportunities for developing Core Skills***

There is no automatic certification of Core Skills in this Unit. However, there are clear opportunities for candidates to develop aspects of the Core Skills in Communication (all Outcomes) and Problem Solving, particularly analysis, (Outcome 3).

### **Open learning**

This Unit is suitable for delivery in a variety of modes including open, distance and blended learning.

### **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](http://www.sqa.org.uk)).

## **General information for candidates**

### **Unit title:** Learner Support: Related Legislation

This Unit is designed to provide you with knowledge and understanding of current legislation as it relates to people with Additional Learning Needs. You will learn about current key legislation and how it can support students with additional learning needs to access education and training. It will also look at local and national initiatives.

The Unit will help you to understand the roles and responsibilities of learning facilitators/assistants in relation to the legislation.