



## Higher National Unit specification

### General information for centres

This Graded Unit has been validated as part of the HNC 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 1

**Graded Unit code:** F1H8 34

**Type of Graded Unit:** Examination

**Assessment Instrument:** Open-book with seen case study

**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 National 1 to Doctorates.*

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

- ◆ Develop the competencies required by employers to undertake specialist paralegal support roles within the legal profession, or in a legal context within a variety of business, public sector or financial organisations.
- ◆ Develop and apply a range of vocational knowledge and skills in an integrated manner to the analysis of legal problems.
- ◆ Develop skills in researching the main sources of law to solve legal problems.
- ◆ Adopt a proactive approach to problem solving.
- ◆ Develop the skills and competencies required to progress to the HND in Legal Services.
- ◆ Develop the skills and competencies required to progress to an appropriate degree level qualification in Higher Education in Law (2nd year BA Law or first year LLB Law) or a related/broadening subjects (for example Management, Business or Accounting).

**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>
F1B3 34	<i>Commercial Law</i>
F1GS 34	<i>Legal Research Techniques</i>

## General information for centres (cont)

**Core Skills:** There are opportunities to develop the Core Skill of Problem Solving and the Core Skill component of written Communication at SCQF level 6 in this Unit, although there is no automatic certification of Core Skills or Core Skills components.

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

An exemplar instrument of assessment and marking guidelines have been produced to provide examples of the specific evidence required to demonstrate achievement of the aims of the HNC (Legal Services) award which this Graded Unit is designed to cover, and to indicate the national standard of achievement required at SCQF level 7.

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

## Administrative Information

**Graded Unit code:** F1H8 34

**Graded Unit title:** Legal Services: Graded Unit 1

**Original date of publication:** May 2007

**Version:** 04 (July 2018)

### History of changes:

Version	Description of change	Date
02	Page 2 — Assessment: clarification of pass criteria.	07/01/08
03	Pass criteria added to ‘Conditions of assessment’.	30/7/08
02	Update of Conditions of Assessment	17/07/18

**Source:** SQA

© Scottish Qualifications Authority 2007, 2008, 2018

This publication may be reproduced in whole or in part for educational purposes provided that no profit is derived from reproduction and that, if reproduced in part, the source is acknowledged.

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

Additional copies of this Graded Unit specification (if sourced by the Scottish Qualifications Authority), can be purchased from the Scottish Qualifications Authority. Please contact the Customer Contact Centre for further details, telephone 0345 279 1000.

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

**Graded Unit title:** Legal Services: Graded Unit 1

### **Conditions of assessment**

The assessment is based on an open-book examination lasting three hours, based on a seen case study which will be distributed fourteen days prior to assessment. Candidates will be allowed access to one suitable text book together with two sides of A4 notes which must be submitted along with the completed assessment.

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

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

Reasonable assistance is the term used by SQA to describe the difference between providing candidates with some direction to generate the required evidence for assessment and providing too much support which would compromise the integrity of the assessment. Reasonable assistance is part of all learning and teaching processes.

In relation to the assessment of Higher National Examination-based Graded Units, assessors may provide advice and guidance on examination technique and clarification on the meaning of command words which may appear within an examination paper, prior to the formal examination.

Remediation is not allowed in Examination-based Graded Unit assessments.

Any candidate who has failed their Higher National Examination-based Graded Unit or wishes to upgrade their award must be given a re-assessment opportunity, or in exceptional circumstances, two re-assessment opportunities. This must be done by using a substantially different examination.

The final grading given must reflect the quality of the candidate's evidence at the time of the completion of the graded unit. Candidates must be awarded the highest grade achieved, whether through first sitting or through any re-assessment.

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

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

### **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 five questions covering the topics shown below.
- ◆ The examination questions will be based on a seen case study and will be carried out in open-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. The candidate will also be allowed use of a relevant text book and two sides of A4 notes to be used in the assessment. The notes should be submitted together with the assessment.
- ◆ 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 five topic areas to be covered in the examination. A minimum of two aspects from each of the remaining five 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
Court systems  (SCQF level 7)	In a prescribed situation, apply and demonstrate a broad knowledge of the Scottish court system.	15%
Legal research techniques and sources of Law  (SCQF level 7)	Present and evaluate arguments, information and ideas which are routine to the discipline using appropriate citations to justify the legal rules	20%
Family  (SCQF level 7)	In a prescribed situation, apply and demonstrate a broad knowledge of the principles of family law.	15%
Contract  (SCQF level 7)	In a prescribed situation evaluate routine contractual problems, information and ideas using a range of approaches.	20%
Property  (SCQF level 7)	In a prescribed situation, use some of the basic and routine professional skills, practices and materials associated with the subject discipline.	15%
Delict  (SCQF level 7)	In a prescribed situation evaluate routine delictual problems, information and ideas using a range of approaches.	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
Is a seamless, coherent piece of work or exam script which consistently: <ul style="list-style-type: none"><li>◆ Identifies, explains and addresses the main legal issues in the case study/studies</li><li>◆ Consistently and precisely uses relevant legal principles</li><li>◆ Consistently gives appropriate advice which follows from the arguments made</li><li>◆ Justifies legal arguments by appropriate legal authority</li><li>◆ Expresses responses which have a clear logical structure</li><li>◆ Consistently and precisely applies the legal terminology to the case study</li></ul>	Is a co-ordinated piece of work or exam script which: <ul style="list-style-type: none"><li>◆ Identifies and explains the main legal issues in the case study/studies</li><li>◆ Inconsistently uses 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 authority</li><li>◆ Has responses without a logical structure and may be repetitive</li><li>◆ Has limited application of the legal terminology to the case study</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 HNC 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 organising, 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 organisation, time management and personal judgement as well as relevant sources of specialist information. 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.

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

### **Equality and inclusion**

This graded unit specification has been designed to ensure that there are no unnecessary barriers to learning or assessment. For information on these, please refer to the SQA document *Guidance on Assessment Arrangements for Equality and inclusion*, 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 HNC 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>
F1B3 34	<i>Commercial Law</i>
F1GS 34	<i>Legal Research Techniques</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 candidate will also be allowed use of a relevant text book and two sides of A4 notes to be used in the assessment. The notes should be submitted together with the assessment.