



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 3

Graded Unit code: F1HA 35

Type of Graded Unit: Project

Assessment Instrument: Investigation

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:

- ◆ provide a basis for progression to further study.
- ◆ develop competencies in a range of specialised areas of their choice in line with their preferred career pattern.
- ◆ build on previously acquired transferable skills.
- ◆ the development of organisational and investigative skills. The HND will further develop skills in researching, planning and organising and require candidates to investigate in more depth legal issues and problems than required in the HNC.
- ◆ adopt a proactive approach to problem solving.
- ◆ respond quickly to the challenges posed by changes in the law and business/legal environment.
- ◆ further develop skills in the practical and procedural application of law in Scotland and Scotland's courts.

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 the above specific aims prior to undertaking this Graded Unit:

F1B1 35	<i>Legal Research Techniques</i>
F1A7 34	<i>Scottish Legal System</i>
DH49 34/DE3N 34	<i>Complex Oral Presentation or Communication: Analysing and Presenting Complex Communication</i>

General information for centres (cont)

In addition the candidate should have completed, or be in the process of completing at least one level 8 Unit which is most relevant to the topic of the chosen project.

Core Skills: There are opportunities to develop the Core Skills of *Problem Solving*, *Communication*, *Working with Others*, *Numeracy* and *Information Technology* at SCQF level 6 in this Unit, although there is no automatic certification of Core Skills or Core Skills components.

Assessment: This Graded Unit will be assessed by carrying out an investigation. The investigation should provide the candidate with the opportunity to produce evidence that demonstrates she/he has met the aims of the Graded Unit that it covers.

Administrative Information

Graded Unit code: F1HA 35
Graded Unit title: Legal Services: Graded Unit 3
Original date of publication: May 2007 (November 2008)
Version: 02

History of changes:

Version	Description of change	Date
02	Page 7 — Amendments to grade boundaries to ensure consistency	12/11/08

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 3

Conditions of assessment

The candidate should be given a date for completion of the investigation. However, the instructions for the assessment task should be distributed to allow the candidate sufficient time to assimilate the details and carry out the assessment task. During the time between the distribution of the assessment task instructions and the completion date, assessors may answer questions, provide clarification, guidance and reasonable assistance. The assessment task should be marked as soon as possible after the completion date. The final grading given should reflect the quality of the candidate's evidence at the time of the completion date.

The evidence for the project is generated over time and involves three distinct stages, where each stage has to be achieved before the next is undertaken. Thus any re-assessment of stages must be undertaken before proceeding to the next stage.

If a candidate fails the project overall or wishes to upgrade, then this must be done using a *substantially different* project, ie all stages are undertaken using a new project, assignment, case study, etc. In this case, a candidate's grade will be based on the achievement in the *re-assessment*.

Instructions for designing the assessment task

The assessment task is a project. The project undertaken by the candidate must be a complex task which involves:

- ◆ variables which are complex or unfamiliar
- ◆ relationships which need to be clarified
- ◆ a context which may be familiar or unfamiliar to the candidate

The assessment task must require the candidate to:

- ◆ analyse the task and decide on a course of action for undertaking the project
- ◆ plan and organise work and carry it through to completion
- ◆ reflect on what has been done and draw conclusions for the future
- ◆ produce evidence of meeting the aims which this Graded Unit has been designed to cover

The project must involve the investigation of a current legal issue and the assessment of its implications for those parties or organisations affected. The candidate can choose the issue to be investigated but it should be one which can be directly related to topics and concepts studied as part of the HND Legal Services and should be agreed in conjunction with the course tutor. It may take the form of for example an investigation into the impact of the introduction of new or revised legislation and an evaluation of the likely effects of this. Alternatively candidates could be provided with a topic or brief for the investigation which could involve a significant amount of legal research in order to evaluate the benefits or adverse effects of a particular legal determination, or provide appropriate legal advice with justification.

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

Guidance on grading candidates

Candidates who meet the minimum Evidence Requirements will have their achievement graded as C — competent, or 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 which:</p> <ul style="list-style-type: none"> ◆ contains a plan which is appropriate to the investigation, organised and realistic ◆ is highly focused on the objectives of the investigation ◆ comprehensively and accurately identifies and describes the legal issues and concepts relevant to the investigation ◆ coherently justifies points made by reference to reasoned argument ◆ where relevant, supports argument with comprehensive and detailed reference to appropriate authority ◆ demonstrates advanced legal research skills by using relevant information from a wide range of sources ◆ is well presented with few typographical/grammatical errors ◆ is well structured and uses appropriate language and legal terminology ◆ includes referencing which is accurate and in an appropriate format ◆ displays a critical, in-depth evaluation of the investigation and, where appropriate, detailed recommendations for improvement 	<p>Is a co-ordinated piece of work which:</p> <ul style="list-style-type: none"> ◆ contains a plan which is appropriate to the investigation but which may not be well organised or realistic ◆ meets the objectives of the investigation but not in a consistent or fully comprehensive manner ◆ makes limited reference to the legal issues and concepts relevant to the investigation ◆ provides limited justification of points made in a manner which is not always supported by the reasons given ◆ makes limited reference to legal authority but points are not fully justified by reference to appropriate authority ◆ demonstrates satisfactory legal research skills by using relevant information from several sources ◆ is satisfactorily presented but may contain several typographical or grammatical errors ◆ is satisfactorily structured and uses appropriate language and legal terminology ◆ includes referencing but this may not always be accurate or in an appropriate format ◆ provides satisfactory evaluation of the investigation and, where appropriate, recommendations for improvement which may not be detailed or comprehensive

The project will be marked out of 100. Assessors will mark each stage of the project, taking into account the criteria outlined. The marks will then be aggregated to arrive at an overall mark for the project. Assessors will then assign an overall grade to the candidate for this Graded Unit based on the following grade boundaries.

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

Note: the candidate must achieve all of the minimum evidence specified below for each stage of the project in order to achieve the Graded Unit.

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

Evidence Requirements

The project consists of three stages: planning; developing; and evaluating. The following table specifies the minimum evidence required to pass each stage. Justification required for 20:60:20 split.

Note: The candidate must achieve **all of the minimum evidence** specified below for each stage of the project in order to pass the Graded Unit.

Project stage	Minimum Evidence Requirements
Stage 1 — Planning	<p>Developing an outline encompassing the following:</p> <ul style="list-style-type: none"> ◆ identification of the broad legal issues and concepts involved in the investigation. ◆ identification of the appropriate sources of information and resources required to carry out the investigation and an explanation for why each source has been selected. ◆ a plan for carrying out the investigation which must include an indication of the order in which investigations are to be carried out and a realistic time-scale for conducting the investigation. The plan should include final and intermediate time dates. ◆ written evidence of the outline should be presented. It may be supplemented by evidence provided orally by the candidate in a discussion with the assessor. If this is done, a written record of the main points of the discussion should be provided. <p><i>The outline is worth 20% of the marks for the investigation. The candidate must achieve all of the minimum evidence specified above in order to pass the planning stage.</i></p>
Stage 2 — Developing	<p>Preparation of a written report of the investigation and critical analysis of a legal issue.</p> <p>It must include:</p> <ul style="list-style-type: none"> ◆ a description and explanation of the law relating to the topic of the investigation. ◆ an explanation of the relevant legal issues and concepts involved. ◆ the descriptions and explanations in 1 and 2 above must include reference to the appropriate legal authority. ◆ a critical analysis of the legal issue under investigation. The analysis must demonstrate a broad knowledge of the area of law involved and a detailed knowledge of the specific topic of the investigation. The analysis must also demonstrate an understanding of the key legal principles and concepts relevant to the investigation. <p>The report should consist of 2,500–3,000 words and include a contents page, summary, references and bibliography. It may be supplemented by evidence provided orally by the candidate in a discussion with the assessor. If this is done, a written record of the main points of the discussion should be provided.</p> <p><i>The report is worth 60% of the marks for the investigation. The candidate must achieve all of the minimum evidence specified above in order to pass the Developing stage.</i></p>

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

Project stage	Minimum Evidence Requirements
Stage 3 — Evaluating	<p>Providing an evaluation of the effectiveness of all parts of the investigation.</p> <p>The evaluation should include:</p> <ul style="list-style-type: none"> ◆ assessment of the extent of the original objectives of the investigation has been met. This assessment should be supported with credible reasons. ◆ commentary on the aspects of the planning and developing stages which worked effectively and why and/or aspects of the planning and development stages which did not work as effectively as expected. ◆ assessment of the strengths and weaknesses of the report of the investigation. This should be supported by credible reasons and cover at least one strength and at least one weakness. ◆ recommendations for future investigations. These should be based on items 1–3 above and could relate to the personal development of the candidate (eg in terms of the further development of skills used in this investigation) or aspects of the process or product of the investigation (eg With respect to setting time-scales, gathering information or possible future investigations). It should be clear from the recommendations that the candidate has reflected on what has happened and has drawn conclusions from this reflection. <p><i>The evaluation is worth 20% of the marks for the investigation. The candidate must achieve all of the minimum evidence specified above in order to pass the Evaluating stage.</i></p>

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

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, and 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

All elements of the Core Skill of *Problem Solving*, that is Planning and Organising, Critical Thinking, and Reviewing and Evaluating, will be developed and enhanced as candidates undertake the Unit. As the aims and objectives are analysed during the Planning stage the identification and assessment of all factors impacting on effective management of the project will involve a high level of critical and creative thinking. Monitoring strategies to assure the quality of the work and allow opportunities for review and adjustment as the assignment is developed will be an aspect of competence. An in depth evaluation of all stages of the process and of the final product is integral to achievement.

The Unit will further enhance existing skills in accessing and evaluating complex information and ideas, as candidates analyse and apply information using a wide range of specialist legal sources. A sound grasp of the applications, value and limitations of technology in accessing, conveying and organising information, data and ideas is essential. Candidates will research and analyse complex legal information and theory, and present written responses which are factually and technically accurate, relevant and appropriate. An in depth understanding of communication theory and practice, including the use of techniques which influence others will be essential. Candidates will be able to collate, organise and structure information effectively, signpost key points, select and produce correct documentation. Materials should be presented to a standard which would be professionally acceptable. Resources available should include appropriate software packages to support accuracy and the effective presentation of information.

The Unit could offer further opportunities to explore ways of enhancing skills in managing working with others and overcoming potential barriers to communication. Candidates could explore the use of a range of active listening and talking techniques including adaptation of language and register to meet the needs of others. Negotiating with others, offering encouragement, demonstrating and explaining as the practical work is undertaken offers the chance to practise adapting behaviour to meet the practical and cultural needs of clients.

The ability to calculate, work with and convey information on resources, performance indicators, targets and timescales will be important to the carrying out and evaluation of the practical work, and interpretation and presentation of numerical and financial information will supplement written reporting.. Candidates could benefit from opportunities to discuss methods used to measure and convey effectiveness, including numerical, statistical and graphic data.

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

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**.

General information for candidates

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

F1B1 35	<i>Legal Research Techniques</i>
F1A7 34	<i>Scottish Legal System</i>
DH49 34/DE3N 34	<i>Complex Oral Presentation or Communication: Analysing and Presenting Complex Communication, plus</i>

At least one level 8 Unit within the HND Legal Services framework which is most relevant to the candidate's chosen project topic.