



Higher National Project-based Graded Unit Specification

General Information

This Graded Unit has been validated as part of the HND Legal Services. Centres are required to develop a project-based assessment in accordance with this validated specification.

Graded Unit title: Legal Services: Graded Unit 3 (SCQF level 8)

Graded Unit code: H8X5 35

Type of Project: Investigation

Publication date: July 2018

Source: Scottish Qualifications Authority

Version: 03

Graded Unit purpose

This Graded Unit is designed to provide evidence that the learner has achieved the following principal aims of the HND Legal Services:

- ◆ Develop and apply a range of vocational knowledge and skills in an integrated manner to the analysis of complex legal problems.
- ◆ Develop skills in researching, planning and organising and require learners to investigate in more depth legal issues and problems than required in the HNC.
- ◆ Develop and adopt a proactive approach to problem solving.

Credit points and level

1 Higher National Unit credit at SCQF level 8: (8 SCQF credit points at SCQF level 8)

Recommended entry to the Graded Unit

It is recommended that the learner should have completed or be in the process of completing the following Units relating to the above principal aims prior to undertaking this Graded Unit:

F1B1 35 *Legal Research Techniques*
F1A7 34 *Scottish Legal System*
DH49 34 *Complex Oral Presentation* **OR**
DE3N 34 *Communication: Analysing and Presenting Complex Communication*

Higher National Project-based Graded Unit Specification: General Information (cont)

Core Skills

Achievement of this Unit gives automatic certification of the following:

Complete Core Skills Problem Solving at SCQF Level 6

Core Skill component None

There are also opportunities to develop aspects of Core Skills which are highlighted in the Support Notes of this Unit Specification.

Assessment Support Pack

The Assessment Support Pack for this Unit provides assessment and marking guidelines that exemplify the national standard for achievement. It is a valid, reliable and practicable instrument of assessment. Centres wishing to develop their own assessments should refer to the Assessment Support Pack to ensure a comparable standard. Assessment Support Packs are available on SQA's secure website.

Equality and inclusion

This Graded Unit has been designed to ensure that there are no unnecessary barriers to learning or assessment. The individual needs of learners should be taken into account when planning learning experiences, selecting assessment methods or considering alternative evidence.

Further advice can be found on SQA's website:
www.sqa.org.uk/assessmentarrangements

Higher National Project-based Graded Unit Specification: Designing the project and assessing learners

Graded Unit title: Legal Services: Graded Unit 3 (SCQF level 8)

Assessment

This Graded Unit will be assessed by the use of a project-based investigation developed by centres. The project should provide the learner with the opportunity to produce evidence that demonstrates she/he has met the aims of this Graded Unit.

The project undertaken by the learner must be a complex task which involves:

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

The project must require the learner 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 an assessment of its implications for those parties or organisations affected. The learner may 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 so should be agreed in conjunction with the course tutor. It may take the form of, for example, an investigation into the impact of new or revised legislation, or an evaluation of the benefits or adverse effects of a specific legal determination. If necessary, learners could be provided with topic ideas by the course tutor, but they would still be required to devise their own investigation brief.

Conditions of assessment

The learner should be given a date for completion of the project. However, the instructions for the project should be distributed to allow the learner sufficient time to assimilate the details and carry out the project

Reasonable assistance is the term used by SQA to describe the difference between providing learners 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 Project-based Graded Units, assessors may provide advice, clarification, and guidance during the time between the distribution of the project instructions and the completion date, ie at each stage of the project.

Higher National Project-based Graded Unit Specification: Designing the project and assessing learners (cont)

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Remediation allows an assessor to clarify learner responses, either by requiring a written amendment or by oral questioning, where there is a minor shortfall or omission in evidence requirements. In either case, such instances must be formally noted by the assessor, either in writing or recording, and be made available to the internal and external verifier. In relation to Higher National Project-based Graded Units, learners must be given the opportunity for remediation at each stage of the project.

The evidence for a Higher National Project-based Graded Unit is generated over time and involves three distinct stages, each of which has to be achieved before the next is undertaken. This means that any re-assessment of stages must be undertaken before proceeding to the next stage. The overall grade is derived from the total number of marks *across all* sections, and should reflect the ability of the learner to work autonomously and the amount of support required. In relation to Higher National Project-based Graded Units, learners who have failed any stage of the project and have been unable to provide the necessary evidence through remediation must be given the opportunity for re-assessment of that stage

Higher National Project-based Graded Unit Specification: Designing the project and assessing learners cont)

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Evidence Requirements for this Graded Unit

The project undertaken by learners will consist of three stages: planning; developing; and evaluating. The following table specifies the minimum evidence required to pass each stage.

Project stage	Minimum Evidence Requirements	% Mark Allocation
Stage 1 — Planning	<p>The learner must produce a submission of around 1,000 words, or equivalent, which will comprise two parts:</p> <ol style="list-style-type: none"> 1 A Project Brief encompassing the following: <ul style="list-style-type: none"> ◆ identification of the chosen topic and justification as to why it merits legal study ◆ a statement of the overall aim of the investigation, which identifies the broad legal issues and concepts involved ◆ identification of appropriate objectives, with justification as to how these will contribute to achieving the aim of the investigation. 2 A Project Plan encompassing the following: <ul style="list-style-type: none"> ◆ identification of appropriate sources and resources that will be required to carry out the investigation, with explanation of why each source and resource has been selected ◆ a timetable for carrying out the investigation which must include a realistic timescale and completion dates. <p><i>The learner must achieve all of the minimum evidence specified above in order to pass the Planning stage.</i></p>	20%

Higher National Project-based Graded Unit Specification: Designing the project and assessing learners cont)

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Project stage	Minimum Evidence Requirements	% Mark Allocation
Stage 2 — Developing	<p>The learner must product a submission of around 3,000 words, or equivalent, encompassing the following:</p> <ul style="list-style-type: none"> ◆ an explanation of the law relating to the topic of the investigation, which must demonstrate a broad knowledge of the area of law involved ◆ an explanation of the relevant legal issues and concepts involved, which must demonstrate a detailed knowledge of the specific topic of the investigation ◆ a critical analysis of the legal issue under investigation, which must demonstrate an understanding of the key concepts and the ability to draw sound conclusions from the evidence considered ◆ reference to appropriate legal authorities and other sources relevant to the topic, demonstrating the ability to employ a consistent system of referencing. <p>The learner's submission must also include:</p> <ul style="list-style-type: none"> ◆ A contents page ◆ An executive summary/abstract ◆ A bibliography <p><i>The learner must achieve all of the minimum evidence specified above in order to pass the Developing stage.</i></p>	60%

Higher National Project-based Graded Unit Specification: Designing the project and assessing learners cont)

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Project stage	Minimum Evidence Requirements	% Mark Allocation
Stage 3 — Evaluating	<p>The learner must produce a submission of around 1,000 words, or equivalent, encompassing the following:</p> <ul style="list-style-type: none"> ◆ an assessment of the extent to which the original objectives of the investigation have been met ◆ a commentary on the aspects of the investigation process which worked effectively and which did not work as effectively as expected, eg in terms of topic selection, time management, writing up, etc ◆ a critical assessment of the Developing Stage submission, covering at least one strength and one weakness, eg whether descriptions were clear, analysis was reasoned, conclusions were sound, etc ◆ recommendations for future investigations, based on the above considerations, eg altering the approach taken, broadening or restricting the scope, etc. <p>All of the above must be supported with justifications and credible reasons.</p> <p><i>The learner must achieve all of the minimum evidence specified above in order to pass the Evaluating stage.</i></p>	20%

Higher National Project-based Graded Unit Specification: Designing the project and assessing learners (cont)

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Assessing and grading learners

The overall project will be marked out of **100**. Only whole marks should be used.

The percentage of marks allocated to each stage of the project is outlined in the **Evidence Requirements**.

It is a requirement that learners must meet the minimum Evidence Requirements for the Planning stage before progressing to the Developing stage before progressing to the Evaluating stage. Learners may produce evidence over and above that specified in the minimum Evidence Requirements and deserve more than half the available marks for that stage. Assessors should use the Grade Related Criteria outlined below to judge learner performance.

Learners are required to work independently to meet the Evidence Requirements of the Graded Unit. At the same time, learners need appropriate support. SQA uses the term reasonable assistance to describe the balance between supporting learners in their project and not providing too much assistance.

At the end of each stage there should be opportunities for remediation and re-assessment of learners for that particular stage. This includes the final Evaluation stage. Any re-assessment should be carried out in line with the centre's own assessment policy.

Grade Related Criteria	
Grade A	Grade C
<p>Is a seamless, coherent piece of work which:</p> <ul style="list-style-type: none"> ◆ has sufficient evidence for the three essential phases of the project, is produced to a high standard, and is quite clearly inter-related ◆ demonstrates an accurate and insightful interpretation of the project brief ◆ is highly focused and relevant to the tasks associated with the project brief ◆ is clear and well-structured throughout and language used is of a high standard in terms of level, accuracy and technical content ◆ effectively consolidates and integrates required knowledge and skills ◆ demonstrates the learner's ability to work autonomously 	<p>Is a co-ordinated piece of work which:</p> <ul style="list-style-type: none"> ◆ has sufficient evidence of the three essential phases of the project, is produced to an adequate standard ◆ demonstrates an acceptable interpretation of the project brief ◆ is focused and relevant to the tasks associated with the project brief ◆ is satisfactorily structured and language used is adequate in terms of level, accuracy and technical content ◆ consolidates and integrates knowledge and skills but this may lack some continuity and consistency ◆ demonstrates independent learning with minimum support and revision during project

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The marks allocated to each stage will then be aggregated to arrive at an overall mark for the project. Assessors will then assign an overall grade to the learner for this Graded Unit based on the following grade boundaries.

A	=	70%–100%
B	=	60%–69%
C	=	50%–59%

These grade boundaries are fixed and should **not** be amended. Any learner who has failed their graded unit or wishes to upgrade their award must be given a re-assessment opportunity, or in exceptional circumstances, two re-assessment opportunities. In the case of project-based graded units, this must be done using a substantially different project.

The final grading given must reflect the quality of the learner's evidence at the time of the completion of the graded unit. Learners must be awarded the highest grade achieved — whether through first submission or through any re-assessment, remediation, and/or reasonable assistance provided.

Guidance on approaches to delivery and assessment of this Graded Unit

This Graded Unit is intended to give learners the opportunity to carry out a systematic investigation into a topic of their choice. The chosen topic should address a current legal issue that has a connection to at least one core Unit studied as part of the HND Legal Services. Potential topics include recent (or proposed) legislative changes, significant case decisions, and legal standpoints that have current relevance (eg membership of the European Union, harsher prison sentences, etc).

It is vitally important that the selected topic allows scope for the learner to critically analyse the law and its implications, not just describe the state of affairs. Learners may be provided with topic ideas by the course tutor, and centres should have discretion in deciding the extent to which topic selection by the learners should be limited. In any event, learners will still be required to devise their own specific investigation brief.

Higher National Project-based Graded Unit Support Notes

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Guidance on approaches to delivery and assessment of this Graded Unit (cont)

Learners will undertake the investigation across three stages; Planning, Developing and Evaluating. In the Planning stage, learners must demonstrate their ability to design a Project Brief and devise a Project Plan. In the Developing stage, learners must demonstrate their ability to critically analyse a topic by presenting relevant information, considering the implications of that information, and drawing sound conclusions based on their considerations. In the Evaluating stage, learners must demonstrate their ability to reflect on the success of their investigation and self-assess the work they have produced.

Learners are required to work independently, and therefore course tutors are required to limit their involvement to the provision of 'reasonable assistance' and support. It is suggested that course tutors could lead a number of seminars covering the essential skills required for each stage, particularly at the beginning of each stage where learners might require more tutor input. Relevant seminar topics might include:

Planning Stage

- ◆ Selecting a topic
- ◆ Identifying aims and objectives
- ◆ Selecting sources and resources
- ◆ Drafting a timetable

Developing Stage

- ◆ Conducting research
- ◆ Interpreting and analysing information
- ◆ Writing up
- ◆ Referencing
- ◆ Preparing work for submission

Higher National Project-based Graded Unit Support Notes (cont)

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Evaluating Stage

- ◆ Measuring objectives
- ◆ Self-evaluation
- ◆ Making recommendations

During contact times where no formal seminar has been arranged, tutors could arrange one-to-one interviews with learners to regularly check progress. Advice and encouragement should be given as appropriate, and any general queries should be answered. However, tutors must be careful not to provide any assistance which is likely to directly improve the learner's mark. It is also suggested that tutors should **not** agree to provide substantial constructive feedback on any learner's work prior to submission. It would, however, be permissible for tutors to provide very general feedback prior to submission, for example to ensure that learners are progressing appropriately, and for the purposes of checking that all required elements are being covered.

An exemplar assessment instrument and marking guidelines have been produced to provide further guidance, to both centres and learners, as to how each stage should be assessed.

Opportunities for developing Core and other essential skills

This Unit has the Core Skill of Problem Solving embedded in it. This means that when candidates achieve the Unit, their Core Skills profile will also be updated to show that they have achieved Problem Solving at SCQF level 6.

All elements of the Core Skill of *Problem Solving* will be developed and enhanced as learners undertake this Unit. Planning and Organising is integral to the investigation, particularly during the Planning stage. Critical Thinking is a requirement of the Developing Stage, and Reviewing and Evaluating is crucial to the Evaluating stage.

The Unit will also enhance the Core Skill of *Communication*, as learners will be required to communicate their ideas clearly, and at a higher level of legal study than previously. Due to the likelihood of learners conducting at least part of their research online, the Core Skill of *Information and Communication Technology (ICT)* might also be developed by undertaking this Unit.

Depending on the topic selected by the learner, there would also be opportunities for the development of *Numeracy* and *Working with Others*.

A range of broader essential skills are likely to be enhanced by undertaking this Unit, such as Citizenship (through increased awareness of current legal issues), Employability (due to the requirement to work strictly to deadlines) and Study Skills, which will be developed throughout the investigation.

History of changes to Graded Unit

Version	Description of change	Date
02	Core Skill Problem Solving at SCQF Level 6 embedded.	26/05/15
03	Update of Conditions of Assessment.	17/07/18

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General information for learners

Graded Unit title: Legal Services: Graded Unit 3 (SCQF level 8)

This Graded Unit gives you the opportunity to carry out an investigation into a topic of your choice. You will be required to select a topic which addresses a current legal issue, and conduct a three-stage investigation into that issue. You will be assessed on a range of different skills, with each of the three stages giving you an opportunity to demonstrate your relevant knowledge and abilities.

Much of the work for this Graded Unit will be done in your own time, outwith the classroom. However, guidance and assistance will be provided by your Tutor, and you will also have the opportunity to attend regular progress meetings.

You will conduct the investigation in three stages:

- 1 Planning
- 2 Developing
- 3 Evaluating

Each stage will involve the submission of a piece of work which provides evidence that you have acquired the relevant knowledge and skills for that stage. Your submission for each stage must achieve a mark of 50% in order to pass. **You must pass each stage in order to pass the Graded Unit overall.**

In the **Planning stage**, you will be required to select a topic for your investigation. This must involve a current legal issue, such as a legislative change or a significant case decision. You could alternatively select a topic which involves considering a certain legal standpoint, such as Membership of the European Union or whether harsher sentences should be handed down to convicted persons. You will then be required to prepare a Project Brief, in which you set an overall aim to investigate, and set objectives that break this aim down into smaller parts. You will also be required to identify appropriate sources and resources for use in your investigation, and produce a timetable. In short, your Planning stage outlines how you will go about conducting your investigation during the Developing stage.

In the **Developing stage**, you will be required to actually conduct the investigation into your chosen topic. You will use your aim and objectives to direct your investigation, which will involve researching your topic, and producing a piece of work in which you critically analyse your chosen legal issue. This will be the largest of the three pieces of work you will produce for this Graded Unit, and must demonstrate your ability to present legal information, consider the implications of presented evidence, and draw sound conclusions based on your considerations.

In the **Evaluating stage** you will be required to assess your own investigation, in respect of both *how* you did things (such as research and time management) and *what* you produced (ie the strengths and weaknesses of the work you submitted). You will also be required to make suggestions for what could be done differently in future similar investigations.

General information for learners (cont)

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Your marks for each stage will be added together, and this aggregated mark will be translated to a percentage. You will then receive a grade based on your percentage as follows:

- A = 70%–100%
- B = 60%–69%
- C = 50%–59%

You must achieve at least a C in order to pass this Graded Unit. If you do not achieve at least this overall percentage, or if you fail to pass any stage, you will be required to undertake the investigation again using a substantially different topic.