



National Unit specification: general information

Unit title: Administrative Law: An Introduction

Unit code: F9Y9 11

Superclass: EC

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Summary

This Unit is intended for candidates who wish to develop skills, knowledge and an understanding of Administrative Law. Candidates will consider the responsibilities, procedures and purposes of public authorities along with the control and redress of grievances

This Unit explains the principal content and contexts of Administrative Law in terms of balancing the need for effective administration and the redress of grievances.

Outcomes

- 1 Describe the current major responsibilities of the principal administrative authorities in the United Kingdom.
- 2 Describe the current procedures in place to control the use of Delegated Authority.
- 3 Explain the purposes of Administrative Tribunals.
- 4 Describe the current role of ombudsmen, regulators and auditors in the control and redress of grievances.

Recommended entry

Entry is at the discretion of the centre.

Credit points and level

1 National Unit credit at SCQF level 5: (6 SCQF credit points at SCQF level 5*)

**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.*

General information (cont)

Unit title: Administrative Law: An Introduction

Core Skills

Opportunities to develop aspects of Core Skills are highlighted in the support notes of this Unit specification.

National Unit specification: statement of standards

Unit title: Administrative Law: An Introduction

Acceptable performance in this Unit will be the satisfactory achievement of the standards set out in this part of the Unit specification. All sections of the statement of standards are mandatory and cannot be altered without reference to SQA.

Outcome 1

Describe the current major responsibilities of the principal administrative authorities in the United Kingdom.

Performance Criteria

- (a) Correctly describe the major responsibilities of the Principal Government Departments.
- (b) Correctly describe the major responsibilities of Local Government Departments.

Outcome 2

Describe the current procedures in place to control the use of Delegated Authority.

Performance Criteria

- (a) Correctly describe the rationale and exercise of delegated powers.
- (b) Correctly describe the systems in place for controlling the exercise of delegated powers.
- (c) Clearly describe selected instances of the misuse of delegated powers.

Outcome 3

Explain the purposes of administrative tribunals.

Performance Criteria

- (a) Clearly explain the rationale for administrative tribunals according to commonly accepted reasons.
- (b) Clearly provide specific illustrations of how individual grievances against the exercise of administrative powers can be redressed through tribunals.
- (c) Clearly illustrate administrative tribunals and their jurisdictions by reference to specific examples.

Outcome 4

Describe the current role of ombudsmen, regulators and auditors in the control and redress of grievances.

Performance Criteria

- (a) Correctly explain the purpose and functions of parliamentary and local commissioners.
- (b) Correctly and clearly describe the purpose and functions of statutory regulators.
- (c) Correctly describe the purpose and functions of central and local government auditors.

National Unit specification: statement of standards (cont)

Unit title: Administrative Law: An Introduction

Evidence Requirements for this Unit

Written and/or oral recorded evidence is required which demonstrates that candidates have achieved the standards specified in the Outcome and Performance Criteria. The evidence for these Outcomes must be obtained under controlled open-book conditions at appropriate points throughout the Unit.

Where the candidate answers orally, the assessor must complete an assessor checklist.

Evidence is required which demonstrates that candidates can:

Outcome 1

- ◆ Correctly describe the major responsibilities of two of the Principal Government Departments.
- ◆ Correctly describe major responsibilities of two Local Government Departments.

Outcome 2

- ◆ Correctly describe the rationale and exercise of delegated powers.
- ◆ Correctly describe the systems in place for controlling the exercise of delegated powers.
- ◆ Clearly describe two examples of the misuse of delegated powers.

Outcome 3

- ◆ Clearly explain the rationale for administrative tribunals according to commonly accepted reasons.
- ◆ Clearly provide and explain three illustrations of how individual grievances against the exercise of administrative powers can be redressed through tribunals.
- ◆ Clearly illustrate and explain two specific examples of the jurisdiction of administrative tribunals.

Outcome 4

- ◆ Correctly explain the purpose and functions of parliamentary and local commissioners.
- ◆ Correctly describe the purpose and functions of statutory regulators.
- ◆ Correctly describe the purpose and functions of central and local government auditors.

National Unit specification: support notes

Unit title: Administrative Law: An Introduction

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 is an introduction to administrative law. The lecturer should highlight only the areas and aspects which are likely to be of concern to someone who is considering employment within central or local government. At all times only current legislation at the time of delivery should be taught and assessed.

In this Unit candidates should learn about the need for administrative structures and that individuals exercising administrative powers are accountable for their actions along with an introduction to the management and resolution of complaints.

Practical illustrations of administrative powers and controls which are essential by way of reported cases should be used where possible.

Students should be encouraged to work either independently or in groups to carry out research on the various topics covered by this Unit which should lead to class.

Discussions in class should be encouraged as a learning aid.

Outcome 1 deals with the main national government, local government departments and their major responsibilities. Candidates should be asked to draw on their own experiences as users of public services and where possible examples from the media.

Within Outcome 2 the candidate should study the definition, purpose and correct implementation of delegated powers. Consideration should also be given to methods of control and misuse of delegated powers. Candidates should be encouraged to use appropriate legal sources where appropriate during delivery of this Outcome.

Within Outcome 3 the candidate should study the purpose of Tribunals, jurisdiction and provide examples of tribunals in action from appropriate legal sources.

Within Outcome 4 candidates deal with the current role of ombudsmen, regulators and auditors with regard to their role in the control of public authorities along with their role in the redress of grievances.

Candidates would benefit from having Knowledge and/or Skills in *Communication, Information and Communication Technology (ICT)* and interpersonal skills.

This Unit should prepare candidates for progression to HN Unit *F1A4 34: Administrative Law*.

National Unit specification: support notes

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Guidance on learning and teaching approaches for this Unit

Candidates should be encouraged to gather and collate materials directly relevant to the content of the Unit, principally media and archival reports on problems typically encountered in the exercise of administrative powers.

Guidance on approaches to assessment for this Unit

Written and/or oral evidence is required to demonstrate that candidates have met the requirements of all Outcomes and all Performance Criteria.

Candidates could demonstrate knowledge and understanding of the Unit content by answering short answer questions for each of the Outcomes under open-book conditions; however assessors may wish to use alternative forms of assessment subject to their available resources.

Candidates could also produce a portfolio for all Outcomes as an alternative to short answer questions. If re-assessment is required, it should contain a different sample from the range of Unit content.

Opportunities for the use of e-assessment

E-assessment may be appropriate for some assessments in this Unit. By e-assessment we mean assessment which is supported by Information and Communication Technology (ICT), such as e-testing or the use of e-portfolios or e-checklists. Centres which wish to use e-assessment must ensure that the national standard is applied to all candidate evidence and that conditions of assessment as specified in the Evidence Requirements are met, regardless of the mode of gathering evidence. Further advice is available in *SQA Guidelines on Online Assessment for Further Education (AA1641, March 2003)*, *SQA Guidelines on e-assessment for Schools (BD2625, June 2005)*.

Opportunities for developing Core Skills

In this Unit candidates will learn about the responsibilities, procedures and purposes of public authorities along with the control and redress of grievances.

Candidates will:

- ◆ Describe the main national government and local government departments
- ◆ Describe what delegated powers is and how to control it and explain instances of misuse
- ◆ Explain the purpose of administrative tribunals
- ◆ Describe the current role of ombudsmen, regulators and auditors in the control and redress of grievances

In this way, candidates will naturally develop aspects of the Core Skill of *Communication* through completion of the Outcomes and Evidence Requirements.

National Unit specification: support notes (cont)

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In addition, whilst completing this Unit, candidates may develop aspects of the following Core Skills where specific learning and teaching approaches are adopted:

- ◆ *Communication* — through class and group discussions, oral presentation and where any written or oral explanations are required.
- ◆ *Working with Others* — any group research/work undertaken could develop the Working Co-operatively with Others component of Working with Others.
- ◆ *Information and Communication Technology (ICT)* — where a candidate undertakes internet research, which may be required in this Unit, then the Accessing Information component of the *ICT* Core Skills could be developed.

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

History of changes to Unit

Version	Description of change	Date

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