



# **Regulated Qualification Specification for: SQA Level 6 Diploma in Conveyancing Law and Practice**

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## Contents

|       |   |    |
|-------|---|----|
| 1     | Introduction.....   | 1  |
| 1.1   | Objective of the Level 6 Diploma qualification .....                          | 1  |
| 1.2   | Rationale for the qualification .....   | 1  |
| 1.2.1 | Background to the development.....  | 1  |
| 1.2.2 | Consultation with stakeholders: meeting employers' needs .....                | 2  |
| 1.2.3 | Range of learners the qualification is suitable for .....                     | 2  |
| 1.2.4 | Possible employment opportunities for learners who gain this qualification .. | 2  |
| 1.2.5 | Progression opportunities from this qualification .....                       | 2  |
| 2     | Aims of the qualification.....  | 3  |
| 2.1   | General aims of the qualification .....                                       | 3  |
| 2.2   | Specific aims of the qualification.....                                       | 3  |
| 3     | Recommended entry requirements .....  | 4  |
| 4     | Qualification structure .....   | 4  |
| 5     | Transitional Arrangements.....  | 4  |
| 6     | Mapping of Units to the aims of the qualification .....                       | 5  |
| 7     | Guidance on approaches to delivery and assessment .....                       | 6  |
| 7.1   | Sequence of delivery .....  | 6  |
| 7.2   | Assessment schedule.....  | 7  |
| 7.3   | Assessment Support Materials .....  | 9  |
| 7.4   | Recognition of Prior Learning .....   | 9  |
| 7.5   | Resource requirements .....   | 9  |
| 8     | Comparable qualifications .....   | 9  |
| 9     | General information for centres .....   | 9  |
| 9.1   | Equality and inclusion .....  | 9  |
| 9.2   | Internal and external verification.....                                       | 10 |
| 9.3   | Glossary of terms .....   | 10 |

# 1 Introduction

This qualification specification describes the key requirements of the qualification and includes information which will:

- ◆ assist centres to implement, deliver and manage the qualification
- ◆ provide a guide for new staff involved in offering the qualification
- ◆ inform course managers, teaching staff, assessors, internal verifiers, learners, employers and HEIs of the aims and purpose of the qualification
- ◆ provide details of the range of learners the qualification is suitable for, recommended entry requirements and progression opportunities
- ◆ provide details of how the Units in the qualification meet the aims of the qualification
- ◆ provide details of the knowledge, skills and understanding which will be assessed and the method of assessment
- ◆ provide details of the criteria against which learners' levels of attainment will be measured
- ◆ total qualification time

## 1.1 Objective of the Level 6 Diploma qualification

The main purpose of the Level 6 Diploma qualification is to provide prospective CLC Lawyers with the theoretical and practical understanding of the law and procedures required for eligibility to apply to be licensed, as a Licensed Conveyancer, by the Council for Licensed Conveyancers (CLC) to provide conveyancing services to the public.

## 1.2 Rationale for the qualification

### 1.2.1 Background to the development

The Council for Licensed Conveyors (CLC) was established in 1985 as a Regulator to license and regulate CLC lawyers and CLC entities in the provision of conveyancing and probate legal services. In 2015 CLC entered a Qualification Partnership Agreement with the Scottish Qualifications Authority (SQA) to allow CLC to concentrate exclusively on its licensing role, with SQA becoming the awarding body responsible for developing, quality assuring and certificating the revised qualifications.

Due to an increase in the demand from the sector for more trained and qualified Legal Technicians and Licensed Practitioners, SQA has worked closely with CLC and its team of subject specialists to create a suite of four new Ofqual regulated Diploma qualifications: the SQA Level 4 and Level 6 Diplomas in Conveyancing Law and Practice and the SQA Level 4 and Level 6 Diplomas in Probate Law and Practice.

Once achieved, the level 6 Diploma in Conveyancing Law and Practice will allow learners to apply for a licence to practise as a CLC Licensed Conveyancing Practitioner, when combined with the mandatory hours of practical experience with an employer.

### **1.2.2 Consultation with stakeholders: meeting employers' needs**

The new suite of qualifications has been subject to consultation with employers, CLC delivering centres, and CLC subject specialists to ensure it is fit for purpose and meets the current and future needs of the sector served by CLC.

### **1.2.3 Range of learners the qualification is suitable for**

This Level 6 Diploma qualification is suitable for a range of learners, including those with prior qualifications and/or experience recognised by CLC for the purposes of exemption.

- ◆ Prior qualified Level 4 CLC students who are commencing their studies for the Level 6 qualification for the first time. This could include those with a Legal Technician Apprenticeship or who have acquired the appropriate CLC Foundation level courses at Level 4.
- ◆ CLC students who are transitioning into the Level 6 Diploma and who may have exemptions recognised by CLC/SQA, which are published on the SQA website.
- ◆ Those who are already working under the supervision of an Authorised Person in a conveyancing capacity and who have appropriate current work experience to benefit from undertaking the Level 6 Diploma with a view to applying for a CLC Licence to Practise.

### **1.2.4 Possible employment opportunities for learners who gain this qualification**

The Level 6 Diploma qualification is designed to equip learners who aspire to become a CLC Lawyer as a Licensed Conveyancing Practitioner with the theoretical knowledge and skills required for eligibility to apply for a CLC Licence.

### **1.2.5 Progression opportunities from this qualification**

The Level 6 Diploma qualification meets CLC's education and training criteria to become eligible to apply for a licence to practise as a CLC Licensed Conveyancing Practitioner after the designated amount of professional practice.

## **2 Aims of the qualification**

### **2.1 General aims of the qualification**

The general aims are designed to:

- 1 Develop the knowledge and skills of learners who may have achieved the SQA Level 4 Diploma in Conveyancing Law and Practice, the Conveyancing Technician Apprenticeship, or an equivalent qualification/experience and who may wish to progress to registration with CLC as a Licensed Conveyancing Practitioner in England and Wales.
- 2 Develop the knowledge and skills required to adopt a proactive approach to problem solving in a legal context within the scope of responsibility of a CLC Licensed Conveyancing Practitioner.
- 3 Acquire an understanding of accounting principles and procedures for Client and Office accounts and the application of the CLC Accounts Code.

### **2.2 Specific aims of the qualification**

To equip the learner with the required theoretical knowledge of:

- 1 Leasehold covenants and obligations and be able to advise client what their options are in the event of a non-compliance.
- 2 The different types of tenancies and how they are affected by the Rent Act 1977 and the Housing Act 1988
- 3 The differences between residential, commercial and agricultural leases and which statutes apply in each case
- 4 Enfranchisement, collective enfranchisement and the tenants' right of first refusal, applying all relevant statutes.
- 5 The areas of the law that impact upon a land sale and purchase transaction
- 6 All the stages of a residential sale and purchase transaction in registered, unregistered land, freehold and leasehold transactions from initial instructions to post completion
- 7 The professional conduct rules of the Council for Licensed Conveyancers.
- 8 The requirements of mortgage lenders and the need to consider money laundering issues.
- 9 The remedies for breach of the Sale contract and when they can be applied.
- 10 Client Account entries and the application of the CLC Accounts Code
- 11 The preparation of Completion Statements
- 12 The system of Practice Accounting Records, including Office account entries, the trial balance.
- 13 The banking system and Bank reconciliation statements.
- 14 Year-end accounts including account concepts, adjustments and analysis and cash flow forecasting.

### 3 Recommended entry requirements

It is recommended the learner has achieved the necessary CLC Level 4 Foundation courses, or equivalent qualifications and/or experience, or the Conveyancing Legal Technician Apprenticeship.

### 4 Qualification structure

To achieve the qualification, learners must complete three mandatory Units as shown below:

|                                       |  |  |
|---------------------------------------|--|--|
| <b>Qualification title</b>            | SQA Level 6 Diploma in Conveyancing Law and Practice |  |
| <b>Qualification Level</b>            | SQA Level 6  |  |
| <b>Credit value (TQT/10)</b>          | 44   |  |
| <b>TQT</b>                            | 436  |  |
| <b>Guided learning hours (GLH)</b>    | 218  |  |
| <b>Mandatory credits/credit value</b> | 44   |  |

| <b>SQA code</b> | <b>Regulator code</b> | <b>Title</b>                                       | <b>Level</b> | <b>Credits</b> | <b>GLH</b> |
|-----------------|-----------------------|--|--------------|----------------|------------|
| HG1E 86         | T/615/0670            | Landlord and Tenant                                | 6            | 15             | 75         |
| HG1F 86         | A/615/0671            | Conveyancing Law and Practice                      | 6            | 14             | 68         |
| HG1G 86         | H/615/0678            | Managing Client and Office Accounts (Conveyancing) | 6            | 15             | 75         |

### 5 Transitional Arrangements

Current CLC Level 6 students who have not yet achieved all required subjects for a CLC award will be able to register for the SQA Level 6 Diploma and to achieve full credit towards the relevant SQA Units using the CLC courses they have already passed. These transitional arrangements will ensure that current CLC students are not disadvantaged, and will take effect from 1 September 2016.

Further details about the transitional arrangements, are available on SQA's webpages.

<https://www.sqa.org.uk/sqa/77128.html>

## 6 Mapping of Units to the aims of the qualification

| <b>Unit code</b> | <b>Unit title</b>                                   | <b>General aims met</b> | <b>Specific aims met</b> |
|------------------|---|-------------------------|--------------------------|
| HG1E 86          | Landlord and Tenant                                 | 1, 2                    | 1, 2, 3, 4, 7            |
| HG1F 86          | Conveyancing Law and Practice                       | 1, 2                    | 5, 6, 7, 8, 9            |
| HG1G 86          | Managing Client and Office Accounts ( Conveyancing) | 1, 2, 3                 | 7, 8, 10, 11, 12, 13, 14 |

## **7 Guidance on approaches to delivery and assessment**

The emphasis should be on an interactive delivery of the qualification. Students should be encouraged to apply relevant law and principles to practical and professional situations that they are likely to experience and may have to deal with in their current or prospective employment.

Scenarios should be presented to the student which reflect the experiences that are likely to occur in professional practice.

Whilst there is a great deal of technical detail that the student must master to achieve this qualification, it is important that this is presented as the 'tools of the trade.' There is no merit in assessing the rules and principles in isolation and the emphasis throughout should be on the application of these in problem solving and providing competent and useful advice.

It is recommended that ongoing formative assessment of the unit content is carried out on a regular basis to facilitate satisfactory learner progression towards achieving the qualification.

### **7.1 Sequence of delivery**

It is recommended that the 'Landlord and Tenant' Unit be completed first before the 'Conveyancing Law and Practice' Unit as the learning acquired from the former will inform an understanding of the latter.

The 'Managing Client and Office Accounts — Conveyancing' Unit may be completed at any stage of the qualification.

## 7.2 Assessment schedule

| Unit                          | Assessment   |  |  |   |                    |
|-------------------------------|--|--|--|---|--------------------|
|                               | Learning Outcome 1   | Learning Outcome 2   | Learning Outcome 3   | Learning Outcome 4                        | Learning Outcome 5 |
| Landlord and Tenant           | Learner response to a case study scenario.   | Learner response to a case study scenario.   | Learner response to a case study scenario.   | Learner response to case study scenarios. | N/A                |
| Conveyancing Law and Practice | Learner response to a case study scenario (to include memos/extended information on part of a transaction, conveyancing documents, larger extracts or simplified mortgage offers). | Learner responses to two case study scenarios (to include memos/extended information on part of a transaction, conveyancing documents, larger extracts or simplified mortgage offers). | Learner response to a scenario (to include brief details/facts and may include a short extract of a document).<br><br>Short essay response.<br>Short response questions. |   |                    |

| Unit   | Assessment  |  |  |                    |                    |
|--|---|--|--|--------------------|--------------------|
|  | Learning Outcome 1  | Learning Outcome 2   | Learning Outcome 3   | Learning Outcome 4 | Learning Outcome 5 |
| Managing Client and Office Accounts (Conveyancing) | Recording of financial transactions using the double-entry book-keeping system. | Using an excerpt from a Trial Balance, learners to produce a simple Profit and Loss account, Balance sheet, an appropriation account and recording of transactions from the office current bank accounts.<br><br>Short answer questions. | Production of a bank reconciliation statement and a cashflow statement.<br><br>Short answer questions. | N/A                | N/A                |

## 7.3 Assessment Support Materials

Support materials for the assessment of this qualification are available on SQA's secure website. Please contact [customer@sqa.org.uk](mailto:customer@sqa.org.uk) to arrange access.

## 7.4 Recognition of Prior Learning

SQA recognises that learners gain knowledge and skills acquired through formal, non-formal and informal learning contexts.

In some instances, a full qualification may be achieved through the recognition of prior learning. However, it is unlikely that a learner would have the appropriate prior learning and experience to meet all the requirements of a full qualification.

The recognition of prior learning may **not** be used as a method of assessing in the following types of Units and assessments:

- ◆ integrative assessment Units
- ◆ certain types of assessment instruments where the standard may be compromised by not using the same assessment method outlined in the Unit
- ◆ where there is an existing requirement for a license to practice
- ◆ where there are specific Health and Safety requirements
- ◆ where there are regulatory, professional or other statutory requirements
- ◆ where otherwise specified in an Assessment Strategy/Assessment Principles

More information and guidance on the *Recognition of Prior Learning* (RPL) may be found on our website [www.sqa.org.uk](http://www.sqa.org.uk).

## 7.5 Resource requirements

Centres must ensure that they have the appropriate resources available in order to effectively deliver and assess this qualification.

## 8 Comparable qualifications

There are no directly comparable qualifications. CILEx provides Units at Level 6 covering some comparable topic areas, such as Unit 17 Conveyancing

## 9 General information for centres

### 9.1 Equality and inclusion

This qualification and all associated support materials have been designed to ensure that there are no unnecessary barriers to learning or assessment. The individual needs of learners will be taken into account when planning learning experiences, selecting assessment methods or considering alternative evidence. Further advice can be found on our website: [www.sqa.org.uk/assessmentarrangements](http://www.sqa.org.uk/assessmentarrangements)

## 9.2 Internal and external verification

Assessments used within this Diploma qualification must be internally verified, using the appropriate policy within the centre and the guidelines set by SQA.

External verification will be carried out by SQA to ensure that internal assessment is within the national guidelines for these qualifications.

Further information on internal and external verification can be found in:  
SQA's Internal Verification: A Guide for Centres offering SQA Qualifications  
[http://www.sqa.org.uk/files\\_ccc/InternalVerificationGuideforSQACentres.pdf](http://www.sqa.org.uk/files_ccc/InternalVerificationGuideforSQACentres.pdf)

## 9.3 Glossary of terms

**National Qualification Frameworks (NQF):** Frameworks provide the language for describing learning opportunities and therefore makes relationships between qualifications clearer. It clarifies entry and exit points, routes for progression within and across education and training sectors and in some cases, across countries. This helps learners plan their progress and minimise duplication of learning.

NQFs that apply to Regulated qualifications in England, Wales and Northern Ireland are below:

- ◆ **RQF — Regulated Qualifications Framework.** A descriptive framework which contains qualifications regulated in England and Northern Ireland.
- ◆ **CQFW — Credit and Qualification Framework in Wales.** A credit based framework for qualifications regulated in Wales.

**Levels:** The frameworks in England, Wales and Northern Ireland cover eight levels of learning. The level of a Unit or qualification denotes the complexity of learning. As a comparison, GCSEs (grade A\*–C) are Level 2, A Levels are Level 3, and a PhD is Level 8.

**Guided Learning Hours (GLH):** Indicates the notional number of hours of directly taught or supervised learning and assessment typically needed, for a learner to achieve the qualification. This figure could be part of or wholly Total Qualification Time.

**Total Qualification Time (TQT):** Indicates the total notional number of hours the typical learner will take to achieve a qualification. This includes GLH and all other types of learning and assessment that is not directly supervised by a teacher, tutor or equivalent person. TQT might be made up wholly of all other types of learning and assessment and not feature GLH.

**Credits:** Credit is used to quantify learning outcomes from TQT values and give them a value or currency. They are a way of showing how much time it takes, on average, to complete and achieve a qualification or learning programme. One credit point represents 10 TQT hours. In some instances it may be possible to transfer credit to other learning programmes to ensure that a learner does not have to repeat any learning they have already undertaken.

**Award/Certificate/Diploma:** The size of the qualification can be quickly identified by the inclusion of Award, Certificate or Diploma in the title — indicating the amount of TQT it contains. There are three sizes of qualification:

|              |                     |
|--------------|---------------------|
| Awards       | (up to 120 hours)   |
| Certificates | (121 to 369 hours)  |
| Diplomas     | (370 hours or more) |

**National Occupational Standards (NOS):** A Standard is a set of statements that describe the standards of performance and knowledge that are expected of a competent individual in a certain job role. NOS are developed with industry input. They are used in lots of different ways — including for the development of qualifications.

**Qualification Specification:** Each qualification must have a published specification, providing all the details required for a customer to know why they should offer or take the qualification and the benefits of doing so. What a specification should contain is detailed by the Regulator Conditions (Ofqual).

**Trailblazers:** Trailblazer groups, made up of employers in a specific sector, are phasing in new Standards and assessment plans for Apprenticeship programmes in England only. These new Standards will gradually replace the use of NOS in English Apprenticeships over the next two years.