



CILEx Level 2 Award in Legal Studies
CILEx Level 2 Certificate in Legal Studies
CILEx Level 2 Diploma in Legal Studies

Qualification Handbook

IMPORTANT INFORMATION

FINAL DATES FOR NEW REGISTRATIONS

Title	QAN	Final date for new registrations
CILEX Level 2 Certificate in Legal Studies	600/5807/9	30 April 2023
CILEX Level 2 Diploma in Legal Studies	600/5809/2	30 April 2023

Title	QAN	Final date for new registrations
CILEX Level 2 Award in Legal Studies	600/5808/0	31 May 2023

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Qualifications at a glance

Title and level	Guided Learning Hours	Total Qualification Time	Ofqual number
CILEx Level 2 Award in Legal Studies	54	90	600/5808/0
CILEx Level 2 Certificate in Legal Studies	125	210	600/5807/9
CILEx Level 2 Diploma in Legal Studies	209	370	600/5809/2

Contents

QUALIFICATIONS AT A GLANCE	4
ABOUT THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES	8
INTRODUCTION	9
What do the qualifications cover?	9
What progression opportunities are there?	11
What are the entry requirements?	11
Recognition of Prior Learning	11
What do you need to do to achieve the qualifications?	11
How long will it take to achieve the qualification?	13
CENTRE REQUIREMENTS	14
Approval	14
Resource requirements	14
DELIVERING THE QUALIFICATION	15
Initial assessment and induction	15
Support materials	15
Using Surpass	16
UNIT DETAILS AND ASSESSMENT METHODS	17
Delivering the Assessments	18
Re-sits	18
Registering Learners	18
Direct Claims Status	19
Claiming Certificates	19
CILEx Policies and Procedures	19
Access Arrangements and Reasonable Adjustments	19
Special Consideration	20
Appeals and Results Enquiries	20

Suspected malpractice and maladministration	20
CILEx Data Protection Policy	20
APPENDIX 1 - GUIDANCE FOR ASSESSORS (ASSIGNMENTS)	22
General Guidance	22
Introducing the tasks to learners	22
Completion of assignments	23
Time allowance for assignments	23
Knowledge and understanding tasks	25
Marking and Grading	26
Feedback	26
Re-sits and Retakes	26
Retakes	26
Re-sits	27
Recognition of Prior Learning (RPL)	27
Health and safety / Codes of practice	27
Verification of assessments	27
Data protection, security	28
Retention of evidence	28
Types of evidence	28
Authenticity	29
Quality assurance of assignments	29
Guidance on qualifications/experience for trainers/learning providers	29
Assessors and internal verifiers	30
Continuing professional development (CPD)	30
Assessment Materials - Conditions of Use	30
APPENDIX 2 - GUIDANCE FOR LEARNERS	31
APPENDIX 3 - GUIDANCE FOR TUTORS ON SETTING UP AND DELIVERING THE LEGAL ENVIRONMENT MULTIPLE CHOICE TEST	39

What to expect on the day	42
Sample MCT's	47
How to register for an MCT.	47
Grading	48
APPENDIX 4 – LEARNER GUIDANCE IN USING SURPASS	49
Introduction	50
How to Log in	50
How to change the look of your examination	54
The general layout of the Surpass Exam Screen	56
How to use the tools in Surpass	57
Finishing the Examination	61
APPENDIX 5 - INVIGILATOR GUIDE TO USING SURPASS	64
Basic Functions	65
Voiding papers	66
Extend the duration of an exam	67
APPENDIX 6 - OVERALL RESULTS AND CERTIFICATION GUIDANCE	70
Combination rules for grading full qualifications	70
APPENDIX 7 – UNIT LIST AND UNIT SPECS	71
Unit 201 – The Legal Environment	72
Unit 202 - Principles of criminal liability	76
Unit 203- Principles of contract liability	78
Unit 204 - Principles of negligence	80
Unit 205 - Law in the workplace	82
Unit 206 – Civil litigation	85
Unit 207 – Consumer Rights	87
Unit 208- Family Law	89
Unit 209 – Wills and succession	91

Unit 210 – Conveyancing	95
APPENDIX 8 - WITNESS TESTIMONY FORM (EXAMPLE)	98
APPENDIX 9 - LEARNER FEEDBACK FORM (EXAMPLE)	99
APPENDIX 10 – LEARNER ACTION PLAN (EXAMPLE)	101
APPENDIX 11 - SUMMARY OF UNIT ASSIGNMENT ACHIEVEMENTS (EXAMPLE)	104

About the Chartered Institute of Legal Executives

The Chartered Institute of Legal Executives (CILEx) is the governing membership body for Chartered Legal Executives and is an Awarding Organisation recognised by the Office of Qualifications and Examinations Regulation (Ofqual), Qualifications Wales and Council for the Curriculum Examinations and Assessment (CCEA). CILEx plays a unique and important role within the legal sector. CILEx works closely with Government and is recognised and listed by the Ministry of Justice as one of the three main branches of the legal profession.

CILEx has extensive experience in the field of legal qualifications, both in the UK and internationally: in the last 20 years over 92,000 people have chosen CILEx to pursue their legal career.

CILEx provides a range of programmes for those wishing to pursue a career as a Legal Secretary, as well as qualifications in Legal Studies

For more details of the full CILEx range of qualifications and entry requirements contact:

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Introduction

The **CILEx Level 2 Award/Certificate/Diploma in Legal Studies** are Vocationally Related Qualifications (VRQs). They have been developed as part of a range of Level 2 qualifications aimed at learners looking to develop a career in the legal sector as support staff. They are accredited as part of the Regulated Qualifications Framework (RQF). The emphasis is on 'learning by doing' and learners are required to complete a number of assessments which will show their application of knowledge in a practical context.

The qualification suite comprises of 10 units. To achieve any one of the three Level 2 qualifications learners must successfully complete the assessments for all specified mandatory and optional units.

Who are the qualifications for?

The **CILEx Level 2 Award in Legal Studies** is aimed at learners currently employed or seeking employment in an area in which a basic knowledge of law will feature in or underpin their work.

The **CILEx Level 2 Certificate in Legal Studies** will be of interest to those already at work in the legal environment in a 'paralegal' capacity or those who wish to go on to qualify as Chartered Legal Executives.

The **CILEx Level 2 Diploma in Legal Studies** provides the opportunity for learners to develop a broader understanding of the different areas of law to enable them to progress their legal career, in particular, those who wish to become paralegals and Chartered Legal Executives.

There is no age restriction for these qualifications unless this is a legal requirement of the process or the environment.

What do the qualifications cover?

CILEx Level 2 Award in Legal Studies – covers basic skills and knowledge required for working as a legal assistant.

CILEx Level 2 Certificate in Legal Studies covers the general range of areas related to the skills and knowledge required for working as a legal assistant.

CILEx Level 2 Diploma in Legal Studies covers a wide range of areas related to the skills and knowledge required for working as a legal assistant. The Diploma allows the learner to commit more time to studying a wider variety of units to support their learning than is possible with the Level 2 Certificate.

What progression opportunities are there?

Award – Learners can progress to

- CILEx Level 2 Certificate in Legal Studies

Certificate - Learners can progress to:

- CILEx Level 2 Diploma in Legal Studies
- Level 3 Certificate in Law and Practice (CILEx)
- A Paralegal Apprenticeship (Level 3)

Diploma – Learners can progress to:

- Level 3 Certificate in Law and Practice (CILEx)
- A Paralegal Apprenticeship (Level 3)

These qualifications may lead to employment as a legal assistant or legal secretary.

What are the entry requirements?

There are no entry requirements for these qualifications. However, centres must ensure that learners have the potential and opportunity to achieve the qualifications.

Recognition of Prior Learning

Recognition of prior learning can be given for these qualifications. Please refer to the Guidance for Assessors (Appendix 1).

What do you need to do to achieve the qualifications?

Award

To achieve the **CILEx Level 2 Award in Legal Studies**, learners must achieve the mandatory unit (**5 credits**) and at least a further **4 credits** from the optional units (**9 credits in total**).

Certificate

To achieve the **CILEx Level 2 Certificate in Legal Studies**, learners must achieve the **four** mandatory units (**17 credits**) and at least a further **4 credits** from the optional units (**21 credits in total**).

Diploma

To achieve the **CILEx Level 2 Diploma in Legal Studies**, learners must achieve the **four** mandatory units (**17 credits**) and at least a further **20 credits** from the optional units (**37 credits in total**).

M = Mandatory

O = Optional

Ofqual No.	Unit Title	Credit Value	Award	Certificate	Diploma
R/503/8688	The Legal Environment	5	M	M	M
A/504/0628	Principles of criminal liability	4	O	M	M
D/504/0394	Principles of contract liability	4	O	M	M
H/504/0395	Principles of negligence	4	O	M	M
F/504/0629	Law in the workplace	4	O	O	O
T/504/0630	Civil litigation	4	O	O	O
A/504/0631	Consumer rights	4	O	O	O
H/504/0400	Family Law	4	O	O	O
F/504/0632	Wills and Succession	4	O	O	O
J/504/0633	Conveyancing	4	O	O	O

How long will it take to achieve the qualification?

A guide to the time needed to achieve each of the qualifications is shown below.

Total Qualification Time (TQT) is the total amount of time, in hours, expected to be spent by a Learner to achieve a qualification. It includes both guided learning hours (**GLH**) and hours spent by the learner in preparation, study and assessment.

	TQT	Min GLH	Max GLH
Award	90	54	62
Certificate	210	125	129
Diploma	370	209	213

Centre requirements

Approval

To offer these qualifications, new centres will need to gain both centre and qualification approval. Please refer to the CILEx Accreditation Handbook for further information.

Centre staff should familiarise themselves with the structure, content and assessment requirements of the qualifications before designing a course programme.

Resource requirements

Centre staffing

Staff delivering these qualifications must be able to demonstrate that they meet the following occupational expertise requirements. They should:

- have a recognised qualification in law at or above the level they are teaching;
- be occupationally competent or technically knowledgeable in the areas for which they are delivering training. This knowledge must be to at least the same level as the training being delivered;
- have recent relevant experience in the specific area(s) they will be assessing;
- have credible experience of providing training.

Centre staff may undertake more than one role, e.g. tutor and assessor or internal quality assurer, but cannot internally verify their own assessments.

Assessors and Internal Quality Assurers

Assessor/Internal Quality Assurer TAQA qualifications are valued as qualifications for centre staff, but they are not currently a requirement for the qualifications.

Continuing professional development (CPD)

Centres must support their staff to ensure that they have current knowledge of the occupational area, that delivery, mentoring, training, assessment and verification is in line with best practice, and that it takes account of any national or legislative developments.

Delivering the qualification

Initial assessment and induction

An initial assessment of each learner should be made before the start of their programme to identify:

- if the learner has any specific training needs,
- support and guidance they may need when working towards their qualifications.
- any units they have already completed, or credit they have accumulated which is relevant to the qualifications.
- the appropriate type and level of qualification.

We recommend that centres provide an induction programme to ensure that the learner fully understands the requirements of the qualifications, their responsibilities as a learner, and the responsibilities of the centre. This information can be recorded on a learning contract.

Support materials

The following resources are available for these qualifications:

Description	How to access
Qualification Handbook	<ul style="list-style-type: none">• Website• myCILEx
CILEx Level 2 Legal Studies course books	<ul style="list-style-type: none">• Website
Sample assignments	<ul style="list-style-type: none">• myCILEx
Sample online test questions	<ul style="list-style-type: none">• Website

All approved centres will be provided with a myCILEx account. This will be the portal for receiving all information from CILEx including:

- Qualification Handbooks
- Assignments to be used for assessing learners
- Guidance on conducting assessments for both the multiple-choice test (Surpass Guide) and the Assignments
- Forms for registering learners and claiming certificates

- CILEx policies and procedures

The key contact at the centre will be given a log-in and password which will allow access to the myCILEx portal. Centres are reminded that they must ensure there are contingency arrangements if the key contact person is absent for any reason and access to any of the documentation is needed.

Using Surpass

Multiple choice tests are delivered using the online Surpass system. Centres will need to ensure that they have tested the Surpass SecureClient (by using a mock test provided by CILEx) successfully at their centre. The key contact at the centre will then be given the log-in to the live Surpass system and the password which will allow access to the to the invigilation area of the Surpass system.

Unit Details and Assessment Methods

The Learning Outcomes for each of the units and further details about unit requirements are provided in Appendix 7.

Details for what constitutes each grade can be found in the individual assessment grading criteria.

In order to achieve any of the qualifications, learners must successfully complete:

- the online multiple-choice test for the mandatory unit 'The Legal Environment'
- **one** assignment for each of the mandatory and optional units in the chosen qualification.

Unit No.	Unit Title	Assessment Method	Duration	Grade
201	The legal environment	Multiple Choice Test - set and marked by CILEx. This is delivered online at the centre via the Surpass platform (see Surpass Guide Appendix ?)	1 hour	Pass/Fail
202	Principles of criminal liability	Assignment set by CILEx; delivered and marked by the centre tutor/assessor.	3 to 5 hours	Pass/Merit/Dist
203	Principles of contract liability	Assignment - set by CILEx; delivered and marked by the centre tutor/assessor.	3 to 5 hours	Pass/Merit/Dist
204	Principles of negligence	Assignment - set by CILEx; delivered and marked by the centre tutor/assessor.	3 to 5 hours	Pass/Merit/Dist
205	Law in the workplace	Assignment - set by CILEx; delivered and marked by the centre tutor/assessor.	3 to 5 hours	Pass/Merit/Dist
206	Civil litigation	Assignment - set by CILEx; delivered and marked by the centre tutor/assessor.	3 to 5 hours	Pass/Merit/Dist
807	Consumer rights	Assignment - set by CILEx; delivered and marked by the centre tutor/assessor.	3 to 5 hours	Pass/Merit/Dist
208	Family Law	Assignment - set by CILEx; delivered and marked by the centre tutor/assessor.	3 to 5 hours	Pass/Merit/Dist

209	Wills and Succession	Assignment - set by CILEx; delivered and marked by the centre tutor/assessor.	3 to 5 hours	Pass/Merit/Dist
210	Conveyancing	Assignment - set by CILEx; delivered and marked by the centre tutor/assessor.	3 to 5 hours	Pass/Merit/Dist

Delivering the Assessments

Multiple Choice Test – For details of how to deliver Unit 201 The Legal Environment multiple choice test Assessors should refer to:

- Learners Guide to Using Surpass (Appendix 4)
- Invigilators Guide to Using Surpass (Appendix 5)
- Guidance for Tutors on Setting up and Delivering The Legal Environment Multiple Choice Test (Appendix 3)

Assignments – For details of how to deliver the internally marked assignments Assessors should refer to the Guidance for Assessors (Appendix 1). Assignments that are marked by the centre tutor/assessor and will be subject to verification by CILEx to ensure that delivery and marking are conducted properly and fairly.

Assignments should take no longer than 3 to 5 hours. If they do, centres should consider why this is, and make sure that learners are not trying to gather too much evidence.

Re-sits

Learners may re-sit the assessments as many times as the centre thinks is acceptable within the learner's period of registration.

Registering Learners

Learners must be registered at the start of the programme. Centres should register learners for the Legal Studies qualification using the Learner Registration Form and use the Unit Entry Form to select the units at the beginning of the programme.

For unit 201 'The Legal Environment' centres must submit an Examination Entry Form for learners using the Unit Entry Form.

The forms are available through the [CILEx website](#) and myCILEx. Centres should email Learner Registration Forms, Unit Entry Forms and Examination Entry Forms to legalstudies@cilex.org.uk

Direct Claims Status

Direct Claims Status is issued to those centres who have met quality assurance criteria for carrying out assessments and marking assignments consistently over a period of time. Centres with Direct Claims Status can be issued with learner certificates without prior moderation of marked assignments. Centres who do **not** have Direct Claims Status are required to notify CILEx of learner results. CILEx will moderate results prior to certificates being issued.

Claiming Certificates

Unit claims - Centres will be required to claim unit credit for learners using the Unit Claim Form.

Qualification certification claims - Full qualification certificates are only issued to learners who have met the full requirements of the qualification(s). Centres will be required to claim qualification certificates for learners using the Certificate Claim Form.

CILEx Policies and Procedures

Access Arrangements and Reasonable Adjustments

Access arrangements are agreed before an assessment for learners with temporary injuries or illnesses or other indispositions which present a barrier to accessing the assessments. Reasonable adjustments are adjustments that are made to alleviate or remove the effect of a disability or difficulty that places the learner at a substantial disadvantage when taking an assessment.

Centres are required to keep records of any access arrangements or reasonable adjustments approved. Information that must be recorded includes:

- Learner name and ID number
- Qualification title (including level) and unit title for which the access arrangements/reasonable adjustment is requested
- Details of the access arrangements/reasonable adjustments requested and the evidence supporting the request (supporting evidence must be retained as part of the record)
- Assessment date for which the access arrangements/reasonable adjustments is requested
- Access arrangements/reasonable adjustments approved
- Name and status of the person within the centre approving the access arrangements/reasonable adjustments
- Date the access arrangements/reasonable adjustments were approved.

Access arrangements/reasonable adjustments records must be retained by the accredited centre for 3 years.

Full details of CILEx's Access Arrangements/Reasonable Adjustments policy can be found on the [Legal Studies Resource Page](#).

Special Consideration

Full details of CILEx's Special Considerations policy can be found on the [Legal Studies Resource Page](#).

Appeals and Results Enquiries

Full details of CILEx's policy and procedures in relation to qualifications appeals and results enquiries can be found on the [Legal Studies Resource Page](#).

Suspected malpractice and maladministration

Full details of CILEx's policy and procedures in relation to alleged malpractice or maladministration can be found on the [Legal Studies Resource Page](#).

CILEx Data Protection Policy

CILEx Group Privacy Notice may be viewed [here](#).

CILEx is an Awarding Organisation and is required to share personal data with Ofqual, Qualification Wales and the CCEA. The Chartered Institute is Data Controller in relation to the personal data it holds and the processing activities that it undertakes or are undertaken by its subsidiary companies acting on its behalf. This means that CILEx decides why and how this personal data is collected and processed.

CILEx Customer Service Statement:

CILEx is committed to understanding its customers needs and meeting expectations in the most effective and appropriate way:

- To provide comprehensive legal education

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- To develop relationships with all members
- To communicate with all customers in a clear and effective manner
- To ensure that all CILEx services are subject to quality assurance
- To aim to deliver the highest level of customer satisfaction and meeting their needs in the most effective way
- All stakeholders will be treated with dignity and respect
- CILEx will comply at all times with its Equality and Diversity Policy

You can view CILEx's customer service statement on the CILEx [website](#).

Appendix 1 - Guidance for Assessors (Assignments)

General Guidance

This guidance should be read in conjunction with specific guidance in each assignment.

Assessors are strongly advised to check and familiarise themselves with the requirements and feasibility of each assignment before it is issued to learners.

As a minimum Tutors should deliver the full breadth of the units and not limit teaching to the assessment tasks contained in this assessment pack. Lesson plans and learner work, may be sampled by CILEx to evidence the full delivery of the units.

The assignments are set by CILEx and are administered by the centre when the learner is ready.

Assessments can be completed in any order. Centres will be expected to organise the assessments in a logical order according to the requirements of the learners and the course (eg. with regard to work experience placements, visits, etc).

A submission schedule should be worked out by the centre, governed by the overall assessment plan for the course, to be negotiated between tutor/assessor and learner. The relationship between course delivery, the handing out of assignments, and the deadlines for their return are matters for agreement between the tutors and the learners locally.

Each assignment will provide opportunities for learners to be assessed on a sample range of the content required for the unit as specified in the Legal Studies Qualification Handbook. Assignments consist of several tasks.

Each assignment contains:

- assessor instructions
- learner instructions
- marking and grading criteria

Introducing the tasks to learners

The assessor should introduce each task, making sure that the learners understand what is required of them. It will be beneficial to take the learners through what is required and the way in which each task will be graded as learners need to know what is expected of them to get each grade.

Completion of assignments

Assessors will decide when each learner should complete an assignment and will be expected to organise the assignments according to the requirements of the learners and the course. Tasks should be completed under supervision. An example witness statement form (Appendix 8) should be used to testify that learners who are on distance learning programmes/employer based have completed the assignment in the time recommended.

Assessors are required to administer and mark assignments to the criteria set. Centre staff should guide learners to ensure excessive evidence gathering is avoided. Marking criteria should **not** be shown to learners until grading is complete. The marking criteria should **not** be given to learners under any circumstances.

Learners can expect a reasonable amount of guidance on how to organise themselves in order to:

- accomplish tasks
- check that the evidence of the required underpinning knowledge has been produced.

A learner may be given clarification if they are having trouble understanding what they are being asked to do in the assessment, but they must carry out the task themselves. Learners should be made aware that if they refer to their tutors for guidance on understanding the task, the amount of guidance and support they are given may be reflected in their grade – where this is the case it will be reflected in the grading criteria, all pass criteria need to be based on the learner's own work and therefore met without support.

Appendix 11 is an example of a document that assessors may use to record the assignments the learner has completed. This is an example only and you may wish to alter it to suit your existing documentation. It can also be used as a tracking document regarding internal verification/quality assurance checking. The IV/QAC can initial and date next to those learners he/she has sampled in red.

You may also consider developing a similar document to track all units on one form. Whatever method you use to ensure quality checks are taking place, please send a copy of your proposed system to CILEx.

Time allowance for assignments

The assignments do not need to be taken under timed, controlled conditions, however, it is anticipated that the assignment should take learners no longer than 3 to 5 hours (excluding research time), to complete.

Centres finding that assignments are taking longer, should contact CILEx for guidance.

Knowledge and understanding tasks

A knowledge and understanding task should only be provided to the learners once it is evident that they are ready to undertake the summative assessment. A realistic timeframe should be set for completion of the task.

Learners should be able to negotiate deadlines where they have a good reason for the request, but reliability and punctuality are watchwords of employment and centres will refer to their own centre policy when dealing with late submissions where no good reason is provided.

The tasks learners have been set for this qualification should not prevent access unfairly. If a task is thought to prevent unfair access due to the type of evidence required, advice should be sought from CILEX on providing the evidence in a different format. For example, if a task requires the learner to provide information as a poster, then unless the design of the poster is being assessed, an alternative format such as an information sheet or report may be acceptable. Note however, that the requirements of the task must still be met in full and the marking/grading criteria applied without change.

In some cases, these can be completed away from the centre in the learners' own time. This is only appropriate when:

- original thought on the part of the learner is required, and marking criteria require demonstration of understanding, interpretation or evaluation of information. Here it can be expected that each learner's evidence will be in their own words, and therefore identifiable as their own work, ie **not** straight recall of facts.
- where the assessor is confident that they will be able to accurately authenticate the learners' evidence as their own, and detect any plagiarism.

Methods to support authentication of learner work may include:

- final write-ups to take place under controlled or test conditions (**always** required where the evidence is straight recall of facts)

For evidence produced outside controlled conditions:

- requiring learners to sign a declaration that the work is their own
- requiring the learners to reference all sources
- supplementary (oral) questioning to gauge familiarity with the topic
- looking out for any changes to the learners usual writing style, unusual sources/examples or the use of eg US spellings or phrases that might indicate cutting and pasting from the internet.
- requiring access to evidence of steps in the process eg drafts, notes, planning etc

For further information on authenticating learner work, see: www.ofqual.gov.uk/plagiarism-teachers

Marking and Grading

The assignments are marked and/or graded internally, using the to the criteria set and the outcomes recorded on the documents provided by CILEx (see Appendix 11). Each assignment is graded as either Re-sit, Refer, Pass, Merit, Distinction in accordance with the grading criteria for the assignment. In general, a Pass is 50%, Merit is 65% and Distinction is 80%, although this may vary slightly depending on the assignment.

These grades are then combined according to the rules for combining unit grades in Appendix 6 to give an overall grade for the qualification being claimed where applicable.

Assessments are subject to internal and external verification. Evidence generated should be available to EQA for scrutiny, as per the normal visit or when requested. You may also consider developing a similar document to track all units on one form. Whatever method you use to ensure quality checks are taking place, please send a copy of your proposed system to your EQA.

Feedback

A feedback sheet has been provided in Appendix 9. Although some feedback may be given verbally, this is often forgotten by the learner after the assessment, and so, assessors should complete the feedback sheet for each learner, showing the key information given to the learner. This will also serve as an action plan for learners who are unsuccessful in a task and need to do further work before taking the task again.

Re-sits and Retakes

Retakes

The tasks are summative assessments and, other than to gain a Pass, learners may not retake tasks to improve grades. It is therefore essential that the tasks are not used for formative purposes and the learners only attempt them when they are judged to be fully ready. If a learner fails only one task within an assignment they may retake the whole task, however they will only be able to achieve a Pass overall for the whole assignment.

It is at the centre's discretion whether to allow a learner to retake a task, unless otherwise specified. A reasonable time should be allocated by the assessor for a learner to repeat a task; this must be indicated on the assessment record. A learner should not be allowed to retake until it is evident that they are ready to undertake the task.

Learners can reuse any research that they have previously carried out and supplement their evidence when retaking a task.

Re-sits

If a learner fails more than one task they **must** take a re-sit assignment – an alternative version. It is at the centre's discretion as to whether they allow a learner to take more than one re-sit assignment, taking into account the individual's circumstances, centre resources, time available etc.

Assessors should ensure that the learner receives appropriate support before the learner is allowed to re-sit the assignment. It is recommended that assessors should allow a minimum of seven days or alternative sufficient period of time.

Should tutors/assessors wish to prepare learners for the assessments, they may use the sample assignment available on the [CILEx website](#) and/or devise their own material internally and provide feedback on these.

Recognition of Prior Learning (RPL)

Recognition of prior learning means using a person's previous experience or qualifications which have already been achieved to contribute to a new qualification. RPL is allowed for these qualifications.

Health and safety / Codes of practice

The importance of safe working practices, the demands of the Health and Safety at Work Act and the Codes of Practice associated with the industry **must** always be adhered to.

The requirement to follow safe working practices is an integral part of all CILEx qualifications and assessments, and it is the responsibility of centres to ensure that all relevant health and safety requirements are in place before learners start practical assessments.

Learners have responsibilities for the safety of others as well as themselves. Anyone behaving in an unsafe manner must be stopped and suitable warnings given. A learner should not be allowed to continue working on an assignment if they have contravened these requirements.

Verification of assessments

Centres must use the provided documentation, unless otherwise agreed, to ensure that CILEx can check that evidence for an assessment is complete and ensure that the assessment decision is fair

and beyond dispute. Centres may devise additional documentation/forms to support those provided by CILEx.

If a learner's work is selected for verification, samples of work must be made available to CILEx who will check that:

- the quality assurance co-ordinator is undertaking his/her responsibilities
- the quality assurance co-ordinator is given prompt, accurate and constructive feedback on centre operations
- CILEx is provided with a written report on centre activities.

CILEx will visit the centre/learning provider:

- ensure that quality assurance co-ordinators are undertaking their duties satisfactorily
- monitor internal quality assurance systems and sampling assessment activities, methods and records
- act as a source of advice and support
- promote best practice
- provide prompt, accurate and constructive feedback to all relevant parties on the operation of centre's/learning provider's assessment systems.

Data protection, security

The centre should have available a copy of the Data Protection Act and bring its contents to the attention of learners.

Centres should themselves ensure that all evidence produced by learners is kept secure and that assignments are kept locked safely away until their use. It is the responsibility of the centre/assessor to be sure of a learner's identity before allowing the learner to take the assessment.

Retention of evidence

In order to fully support learners and to be compliant with the verification process, centres are required to retain learners' evidence and learner assessment **records** (see the CILEx Accreditation Handbook for details) must be retained for **three years** after certification.

Types of evidence

Assignments are written in a way to encourage learners to produce different types of evidence eg briefing notes, letters, and memos.

It is important that learners ensure their name and enrolment number is on all items of evidence handed in.

Authenticity

Centres are reminded to check for authenticity of work where learners may be using texts and the internet to complete tasks.

Quality assurance of assignments

These qualifications are Vocationally Related Qualifications (VRQs) and do not imply occupational competence. Centres are required to establish a system of internal verification/scheme co-ordination to monitor assessors' decisions. This means that the work of assessors involved in the qualification(s) must be monitored by a quality assurance co-ordinator, to ensure that assessors are applying the standards consistently throughout assessment activities. Quality assurance co-ordinators/programme co-ordinators and CILEx will sample learners' work to ascertain whether the evidence for an assignment is complete, and to ensure that the allocation of grades by assessors has been fair and beyond dispute. It is for this reason that the signature of both the assessor and the learner is required on the assignment mark sheet.

Assessors must ensure that learners understand why a particular assessment decision has been reached. Where learners do not feel that the assessment decision has been fair, they should have the opportunity to access the normal appeals/complaints procedure of the centre/learning provider in the first instance, and if this does not resolve the situation, they can refer their appeal to CILEx.

The use of grading for the assessment of practical work makes it possible for verifiers to use a system of sampling, but when doing so they have to be sure that the evidence is complete and that the allocation of marks and grades has been fair and beyond dispute. It is for this reason that both the assessor's signature and that of the learner is required on the final mark sheet. Quality assurance co-ordinators need to be sure learners understand why the relevant grade has been allocated for the qualification.

Learners' work may also be subject to external verification, which may be by a visit or by post. There will normally be one external verification activity per centre, per year.

Guidance on qualifications/experience for trainers/learning providers

All new teachers delivering publicly funded qualifications in the learning and skills sector (all post 16 education – including FE, adult and community learning, work-based learning, offender

education) in England are now required to take qualifications which form part of the Qualified Teacher – Learning and Skills (QTLS) framework.

Centre staff may undertake more than one role eg tutor and assessor or internal verifier, but must **never** internally verify their own assessments.

Trainers/tutors must

- be technically competent in the area(s) for which they are delivering training. This knowledge must be above the level of the training being delivered.
- Have credible experience of providing training.

Assessors and internal verifiers

Assessors should have recent relevant experience in the specific area they will be assessing. Assessors need to have a greater level of experience and understanding than those they are assessing.

In addition, assessors must demonstrate the ability to mark assignments using externally set criteria. While the Assessor/Verifier (A/V) units are valued as qualifications for centre staff, they are not currently a requirement for the qualifications.

Continuing professional development (CPD)

Centres are expected to support their staff in ensuring that their knowledge of the occupational area and of best practice in delivery, mentoring, training, assessment and verification remains current, and takes account of any national or legislative developments.

Assessment Materials - Conditions of Use

CILEx Assessment Materials are protected by copyright and are supplied only to Approved Centres for use solely for the purpose of summative assessment.

Appendix 2 - Guidance for Learners

The following are general instructions which should be followed alongside any specific instructions for each assignment.

- Before you start the assignment you should read the assignment text carefully. This will help you to understand how each task fits into the whole assignment.
- You should start each task on a fresh sheet of paper.
- On each sheet of paper you should type or write your name and registration number. Also add an appropriate name to your saved file or as instructed in the task.
- You are expected to check and correct your spelling, grammar and punctuation.
- You may use any books, notes or other material to help you, but you must not copy word-for-word from any source. Under no circumstance must you copy someone else's work.
- You and your assessor must sign each Assessment Record to verify that all the work contained in that assignment is your own.
- When all required assignments and the multiple-choice test have been completed to the required standard you will be awarded the Level 2 Award / Certificate / Diploma in Legal Studies, whichever is applicable to your centre's programme.

Policy for appeals

The CILEx Appeals policy can be found on the [CILEx website](#)

Setting the Scene

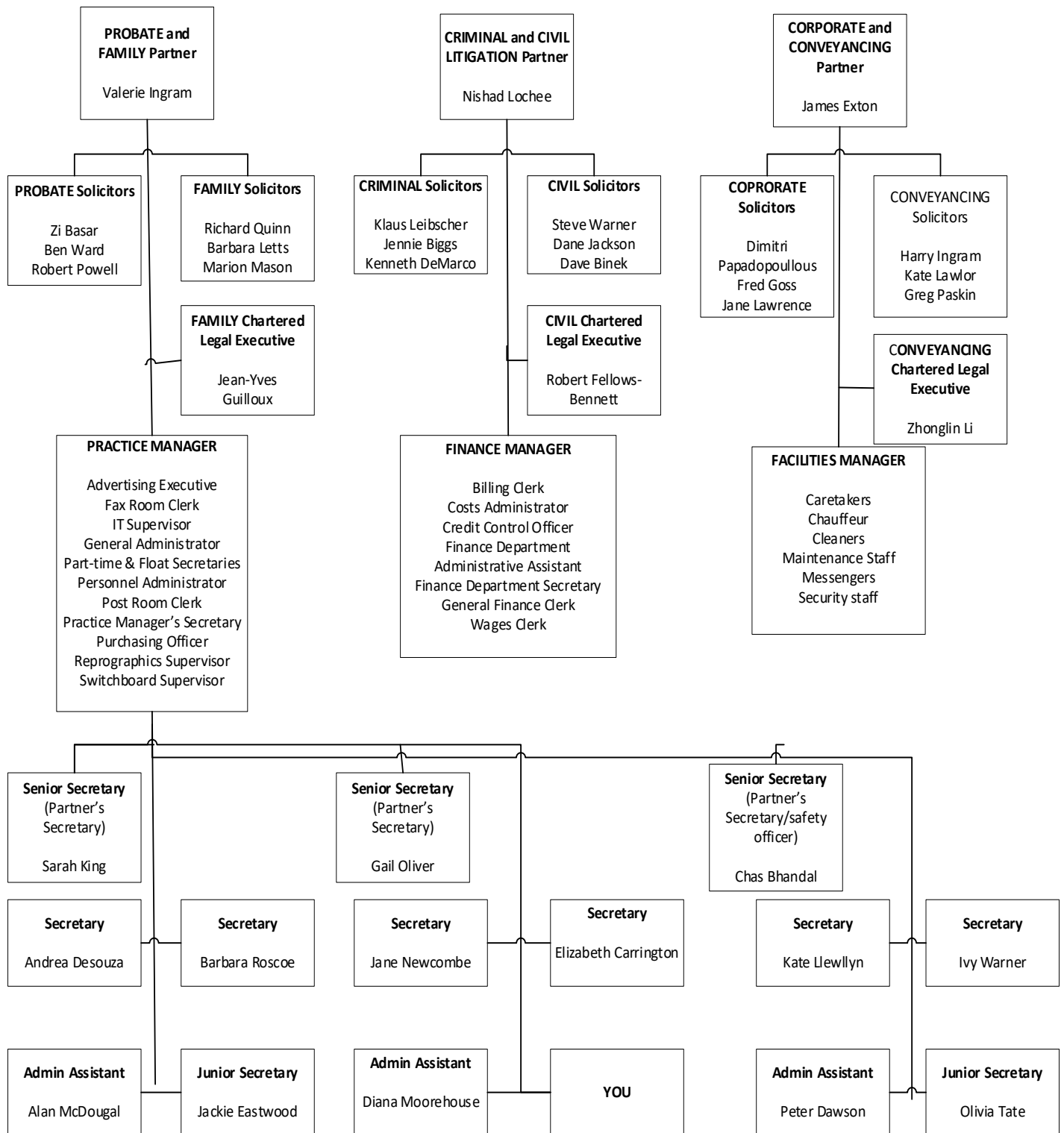
Level 2 Award/Certificate/Diploma in Legal Studies assignments

The aim of the assignments is to demonstrate the learner's ability to apply their understanding of legal concepts, procedure and process in a legal setting through the completion of scenario based tasks.

In all the assignments you will be working for the same firm: **INGRAM LOCHEE & EXTON**, solicitors. They are a rapidly expanding firm occupying a five-storey office block in the centre of Birmingham. The firm is divided into three main departments: Probate (with a sub-division of Family), Criminal Litigation (sub-division Civil Litigation) and Corporate (sub-division Conveyancing). Each department is in the charge of one of the Partners and is situated on a separate floor. Reprographics, post room, switchboard etc are on the ground floor and interview rooms, staff canteen and rest room on the top floor. As part of the firm's policy, you may be requested to work in any department either on a short-term or a long-term basis.

Valerie Ingram (Probate), Nishad Lochee (Criminal Litigation) and James Exton (Corporate) are the partners. There are 18 solicitors and three F.Inst.L.Ex. (Fellows of The Chartered Institute of Legal Executives) as shown in the organisation chart.

INGRAM LOCHEE & EXTON – Organisation Chart



Example of house style for letters

INGRAM LOCHEE & EXTON		
PARTNERS Valerie Ingram LLB Nishad Lochee LLB James Exton LLB	18 Temple Row BIRMINGHAM B2 5DS	DX: 13853 Birmingham 1 Tel: 0121 230 4932 Fax: 0121 230 4933 Email: cilexpt.co.uk
<p>Our ref NL/AS/BOLTON</p> <p>10 June 20** URGENT <i>(if instructed)</i> The</p> <p>Chief Constable Yorkshire Constabulary YORK YR3 2ET</p> <p>Dear Sir</p> <p>MICHAEL BOLTON 14 NORTH STREET BIRMINGHAM</p> <p>We act for the above named who was involved in a road traffic accident on the A38 near Bromsgrove on 20 August.</p> <p>The other party involved was Mr D Hughes of 36 Gleneagles Road Blackpool.</p> <p>Would you please let us have a copy of the police report together with a note of your costs. We enclose a stamped addressed envelope for your early reply.</p> <p>Yours faithfully INGRAM LOCHEE & EXTON</p> <p>Nishad Lochee Partner Enc</p> <p>Copy to: Mr M Bolton</p>		

INGRAM LOCHEE & EXTON


PARTNERS

Valerie Ingram LLB
Nishad Lochee LLB
James Exton LLB

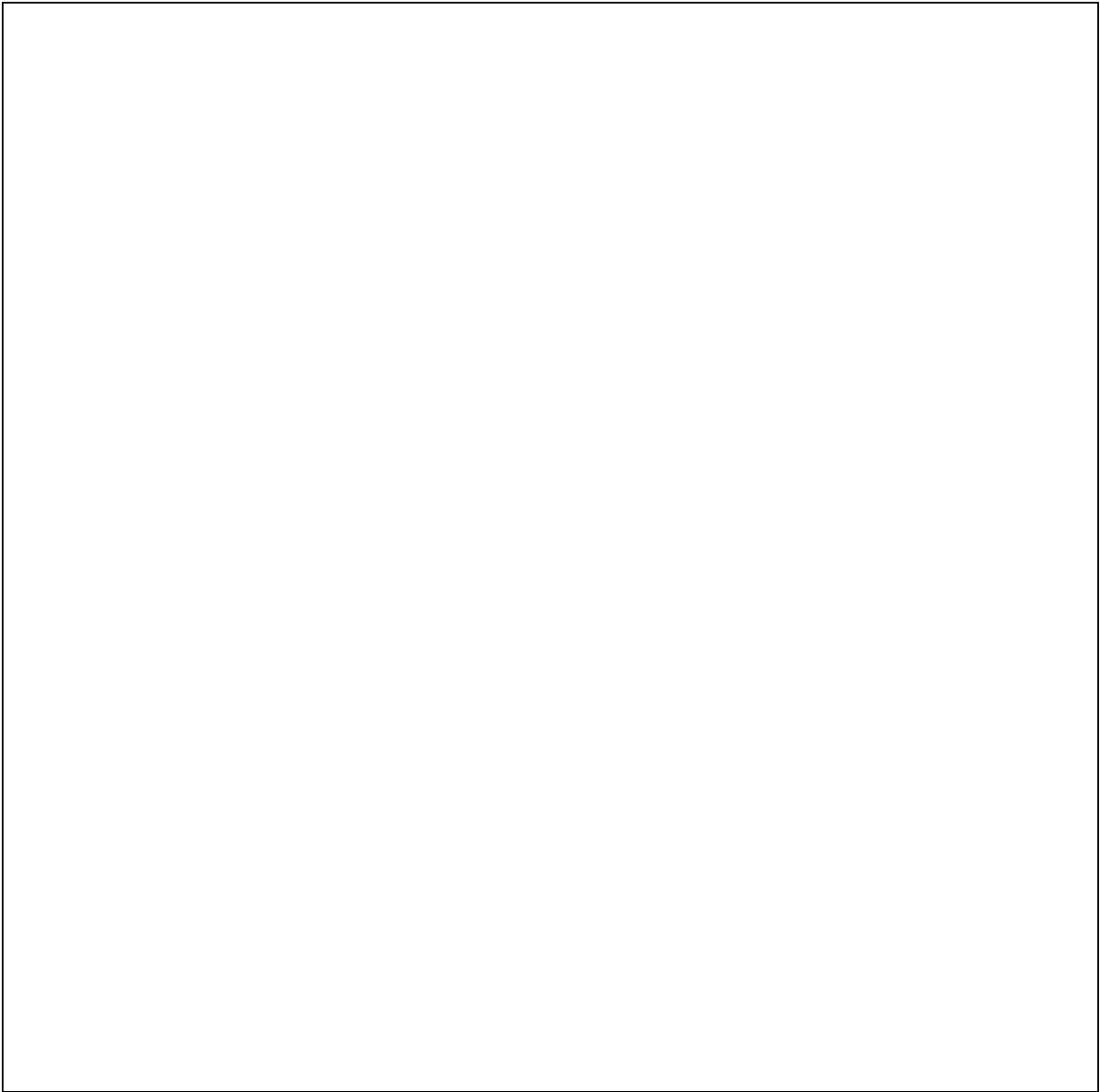
**18 Temple Row
BIRMINGHAM B2
5DS**

**DX: 13853 Birmingham -1
Tel: 0121 230 4932
Fax: 0121 230 4933
EMail: cilexpt.co.uk
(not for service)**

Email template

 Message (HTML)

<u>F</u> ile	<u>E</u> dit	<u>V</u> iew	I <u>n</u> sert	<u>F</u> ormat	<u>T</u> ools	<u>A</u> ctions	<u>H</u> elp
From...	nlochee@cilexpt.co.uk						
To...	astudent@cilexpt.co.uk						
Cc...							
Subject:							



Glossary of terms used in the assignments

Terms	Description
Briefing notes	relate to a specific scenario, headed, identify key issues, summarise legal points relating to those issues.
Set of notes/revision notes/research notes	use sub-headings, summarise important principles for ease of reference.
Presentation notes/materials	summarises key points, may use bullet points, may use presentation slides which may include images or graphics.
Hand-out/factsheet/information sheet	factual, primarily text, informative, uses sub-headings, usually on A4 or A5 sized paper.
Leaflet	informative, may contain graphics or images, can be A4 or A5, may include examples or scenarios, question and answer or real cases by way of explanation.
Written summary	short continuous prose which will usually focus on a specific issue.

Appendix 3 - Guidance for Tutors on setting up and delivering the Legal Environment Multiple Choice Test

The Multiple Choice Test (MCT) is an externally set and marked multiple choice test that is taken via E-assessment. It is available on-demand. Learners will have 60 minutes to answer 30 Multiple Choice questions.

The following units are assessed by MCT:

- The Legal Environment (Unit 201)

How to run the E-assessment Software.

The MCT will take place on an e-assessment system called Surpass in an locked down environment. You will need to download and install the Surpass SecureClient to run the assessment. This client is specific to CILEx and you will not be able to use any other software to run the MCT assessment. To successfully install and run Surpass, you will need to have equipment equal or higher to the specifications listed below:

- Processor 2.33GHz or faster x86-compatible processor
- Windows 7, 8.1 or 10 (32bit or 64bit)
- Microsoft .NET Framework 4.0
- A stable internet connection
- RAM 1GB
- Adobe Flash Player 18 to 20.0.0.306 *This needs to be the ActiveX version of Flash, i.e. it needs to be installed from Internet Explorer.*
- HDD Space 1GB of free space
- Video Single display
- Screen resolution of 1024x768
- Graphics card with at least 128 MB of memory
- Two button mouse
- Keyboard

Please note the following limitations:

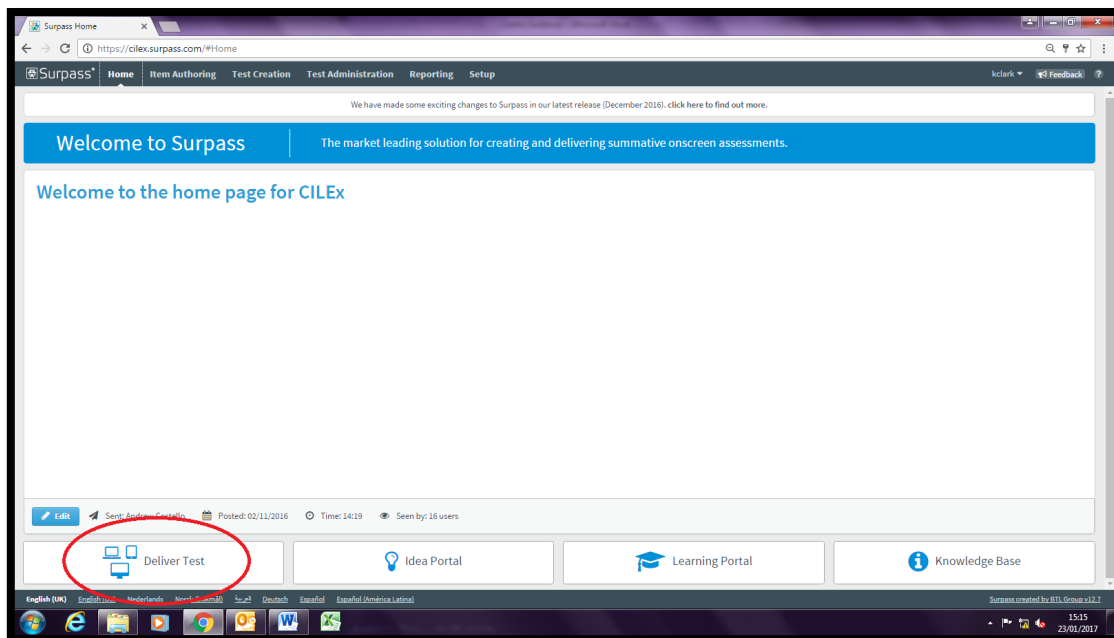
- *The use of 3G cards may not guarantee a constant bandwidth and could therefore not meet the minimum requirements.*
- A centre connection of 2Mbps or greater for every 30 learner tests being sat at the same time is recommended to ensure learners are not affected by connection issues during test delivery.
- *Surpass SecureClient is not compatible with Multiple Monitor setups.*

- Virtual Environments (such as Citrix) and certain firewalls may cause proxy errors – these will make Surpass un-useable.

Once you have become accredited, you will be provided with a login detail to Surpass. To download the Surpass SecureClient, please follow the link to our [Surpass site](https://www.cilex.surpass.com) (www.cilex.surpass.com) and use your details to log on.



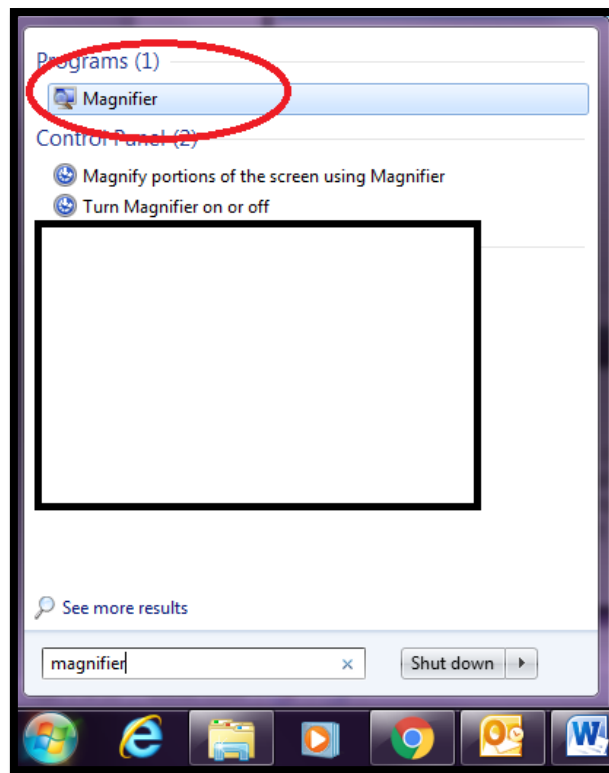
You will then find yourself on the Home Screen for Surpass. In the bottom left-hand corner, you will find a link 'Deliver Test'. This will bring you to where you can check the technical specifications for Surpass and download the SecureClient.



Click 'Secure Delivery' and then click 'Download SecureClient (MS)'. This will start the download and installation of the software. Please follow the onscreen instructions when prompted. You may need to contact your IT department to enable the correct permissions to allow an installation.

Please note that Surpass update the SecureClient software, these updates will need to be applied upon release in order to run the MCT. We will notify all centres when you will need to perform software updates. Failure to perform these updates promptly may cause issues to occur when conducting the live assessments.

Surpass is compatible with the Windows Magnifier software to enlarge the screen. This will need to be set up and running before the SecureClient is booted as SecureClient will lock down the station.



What to expect on the day

Prior to the day of the assessment, you will be sent a set of Learner Keycodes and a centre PIN. This information will need to be ready for distribution to your learners on the day – we recommend printing out individual copies of the Keycodes for each learner.

Please note that each Keycode is unique to the named learner and cannot be swapped. The Keycodes are also single use and will not allow you to re-enter them once the MCT has started.

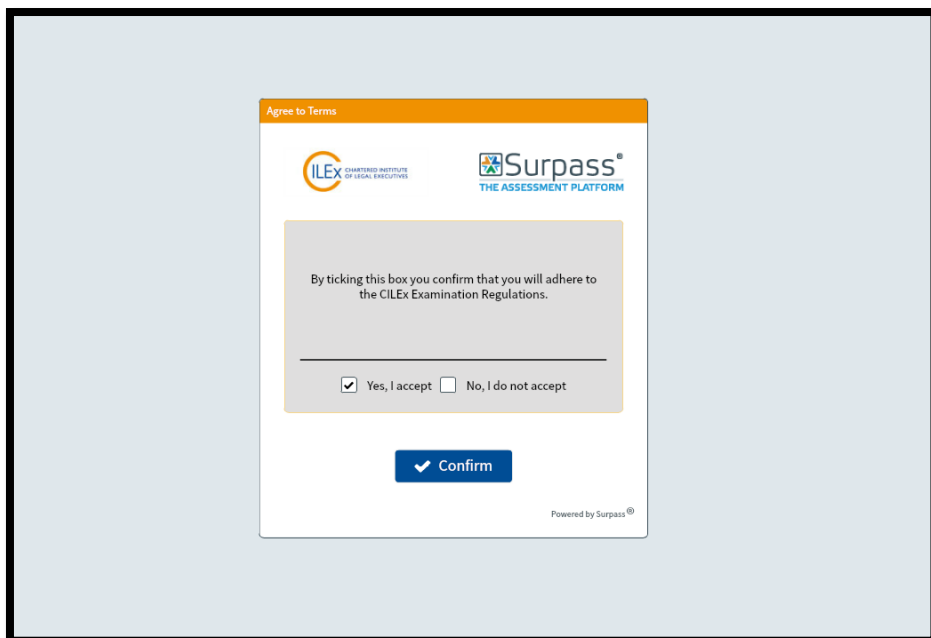
On the day of the examination, the invigilator will need to login to our Surpass Site and have the invigilation screen set up. Details on how to use the invigilation screen can be found in Appendix 5.

Once the learners are seated, they should type in their Keycode (*fig.1*) and complete the confirmation screens (*fig.2 and 3*). They will then be prompted for a PIN (*fig.4*).

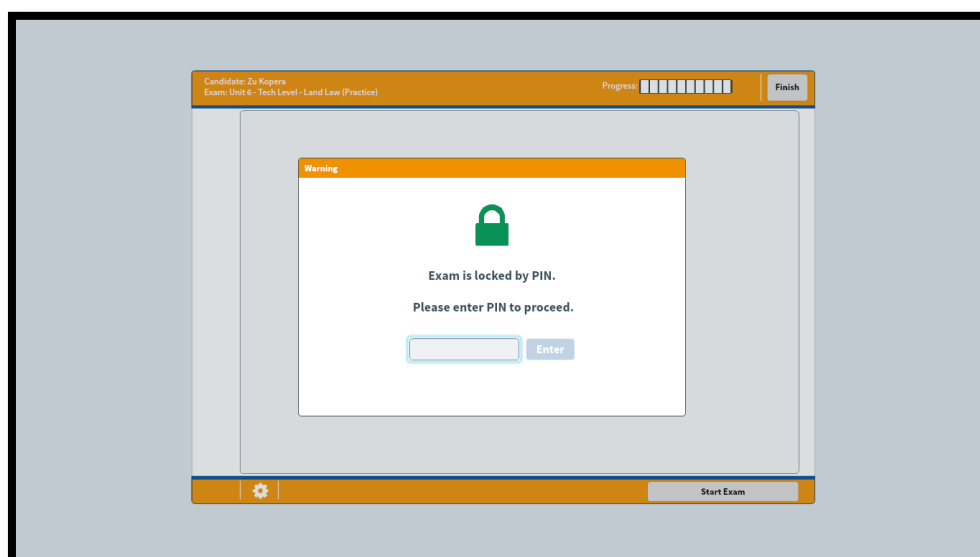


(fig.1)

(fig.2)



(fig.3)



(fig.4)

Please ensure that all present learners are ready to proceed and that it is the correct start time before giving out the PIN.

Attendance Register

Centre Name: Surpass Testing Centre
Centre Code: STC1
Selected Date: 24/01/2017
Selected Start Time: 00:00
Selected End Time: 23:59
Subject: Introduction to Law and the Legal System in England and Wales (Practice Paper)
Test: Introduction to Law and the Legal System in England and Wales - Practice Test
Language: English

Name	Candidate ref.	DOB	Gender	Duration	Keycode	PIN	Present
1KOPERA, Zu	AUTO69a798f1f76f4dc3811ccadfe346473e		U	60	7KR9N4HB	7K9Y9B	

Declaration:

I confirm that the information provided is accurate.

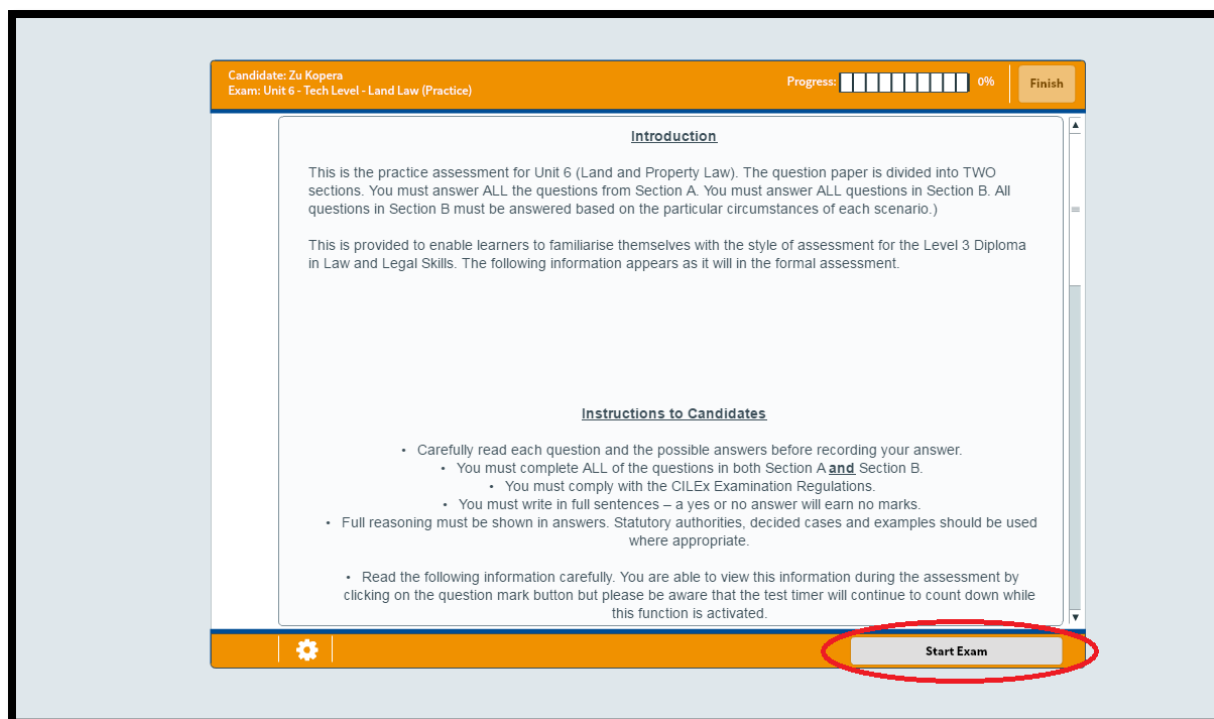
Name: _____ Signature: _____

Position in centre: _____ Date: _____

Once the PIN has been entered, the examination will download and the learner will be shown to the Introduction Screen. This page will contain important information; such as length of examination, number of questions required and how to use the tools provided in Surpass.

An over view of the tools available in Surpass can also be found in the Surpass Learner Guidance (Appendix 4).

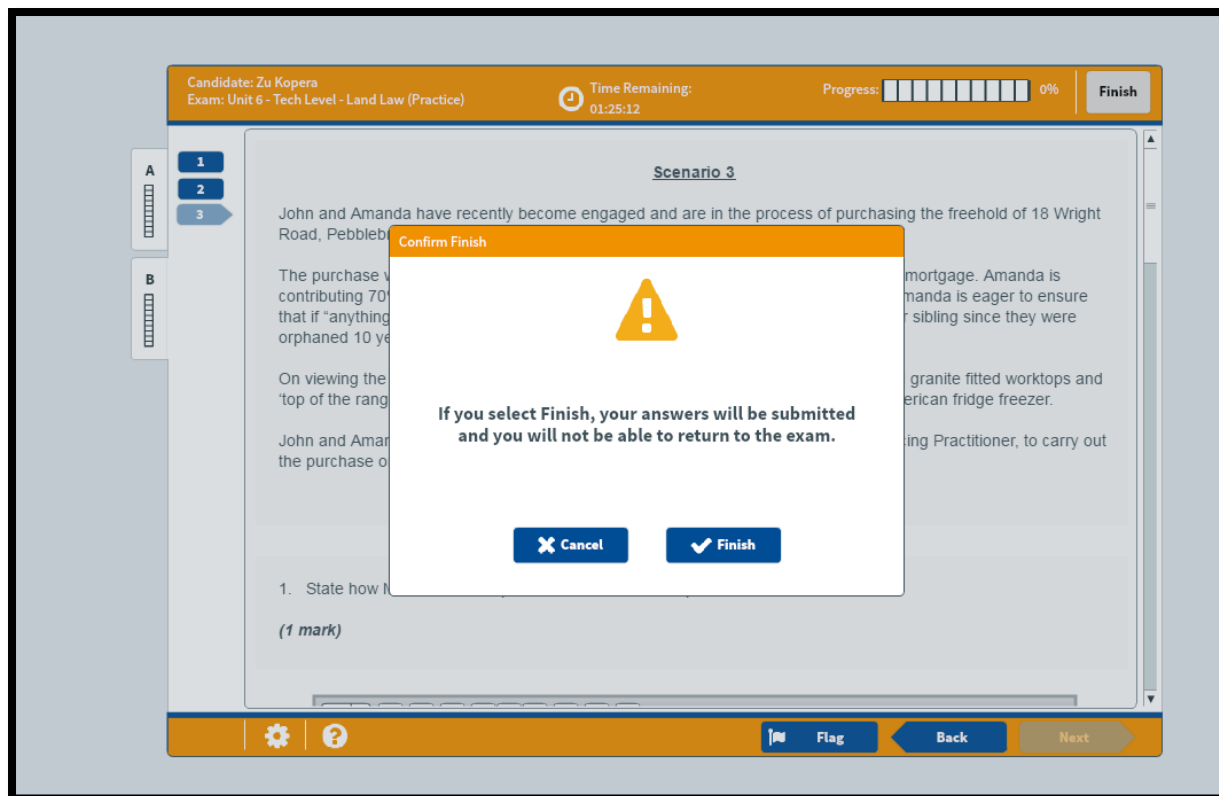
All Learners should be encouraged to thoroughly read the Surpass Learner Guidance prior to the examination.



Once the learner has read the information and clicked to start the 'Start exam' button, the timer will begin to count down.

All learners should be encouraged to read the Introduction and Instructions to Learners carefully. All CILEX Regulations should be followed at all times.

When the learner finishes the examination, they will be prompted to check that they have completed all questions before exiting the examination.



Once they confirm this, the SecureClient will attempt to send their answers to CILEX where they will be stored for marking. This means that a learner cannot then go back and change answers.

They will then need to wait for confirmation by the invigilator before they are allowed to leave. Learners are not allowed to leave an examination during the first 45 minutes or the last 15 minutes (as seen in the CILEX Examination Regulations).

Sample MCT's

Sample MCT's are available upon request for you to test your computer systems and internet speed. Please email legalstudies@cilex.org.uk and we can arrange for Keycodes to be sent to you.

How to register for an MCT.

All learners must register for the MCT by the end of the month prior to the exam month. For example, if the learner wishes to sit the MCT in May, they must have registered by the end of March.

All registrations must be submitted via an Examination Registration Form and emailed to legalstudies@cilex.org.uk.

Grading

The MCT is graded as either Pass or Fail. In order to pass the assessment, learners will need to correctly answer a minimum of 18 of the 30 questions.

A provisional grade will appear on the screen once the learner has completed their MCT. This grade will be confirmed by CILEx to the centre within 2 working days of the date of assessment.

Appendix 4 – Learner Guidance in Using Surpass

V6 (2018)

Introduction

This guide is for learners sitting CILEx E-Assessments.

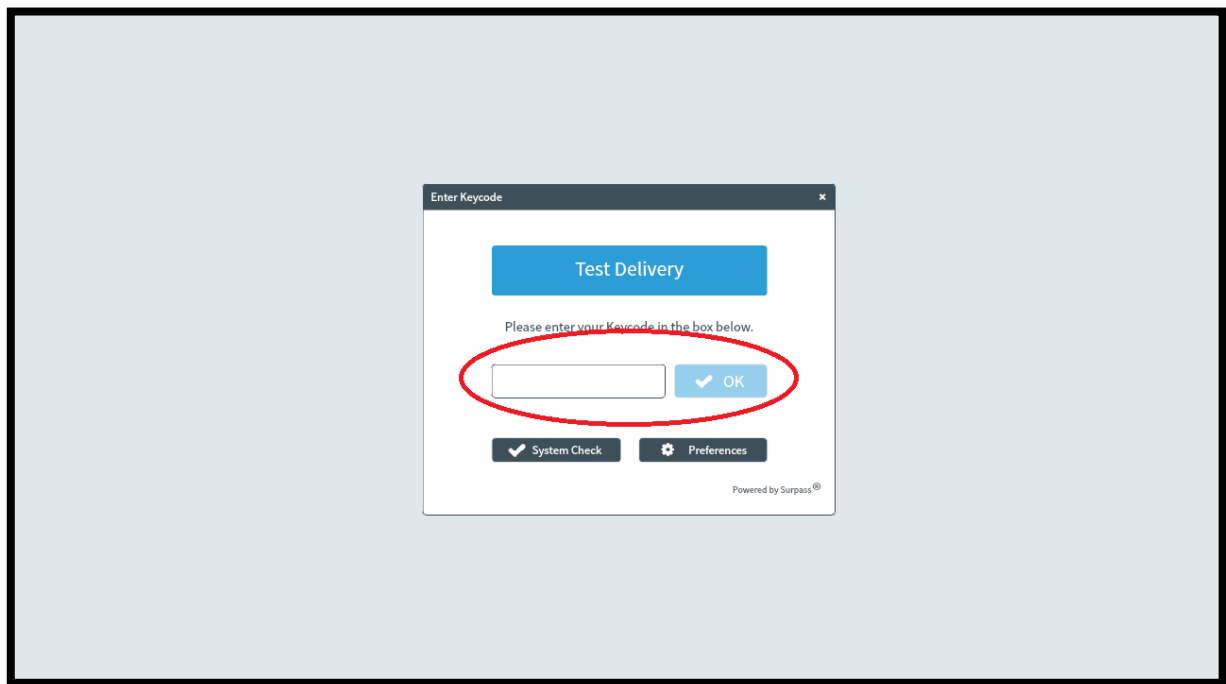
You should carefully read this guidance prior to your examination. We also suggest that you read through the CILEx Examination Regulations as you will be required to comply with these on the day of the examination.

Practice tests are available to help you familiarise yourself with the style and content of the assessment.

Please ask your Course Tutor for further information.

How to Log in

You will be provided with a Unique Keycode prior to the examination. Please ensure that you bring this with you on the day as it is needed in order for you to log in.



When you input the Keycode, you will then be prompted to confirm your details. You should also use this time to check that you are sitting the correct examination.

Confirm Details

CILEX CHARTERED INSTITUTE OF LEGAL EXECUTIVES

Surpass[®]
THE ASSESSMENT PLATFORM

First name: Zu
Last name: Kopera
Candidate ref: AUTO69a798f1f76f4dc3811ccadfe346473e
Exam Name: Unit 6 - Tech Level - Land Law (Practice)
Language: English

Are the details above correct?

Powered by Surpass[®]

You will then be prompted to confirm that you will adhere to the CILEx Examination Regulations. These should be made available to you before the examination.

Please contact your Course Tutor if you have not been able to access these. They are also available on the CILEx Website

Agree to Terms

CILEX CHARTERED INSTITUTE OF LEGAL EXECUTIVES

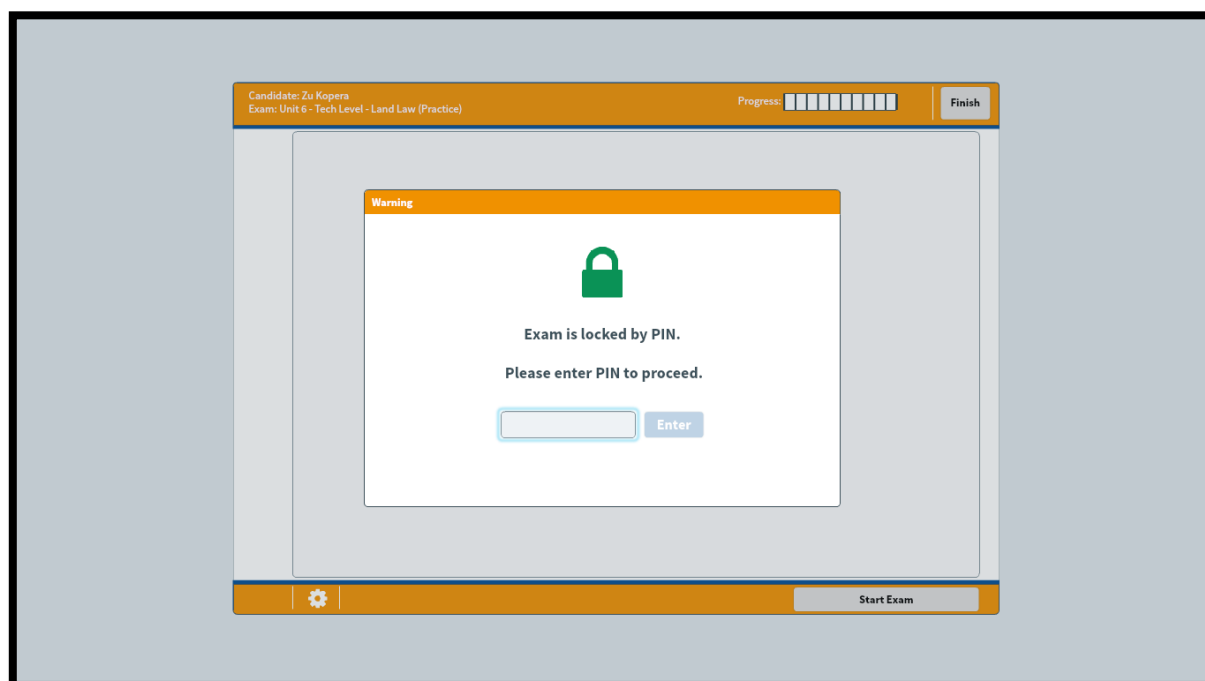
Surpass[®]
THE ASSESSMENT PLATFORM

By ticking this box you confirm that you will adhere to the CILEx Examination Regulations.

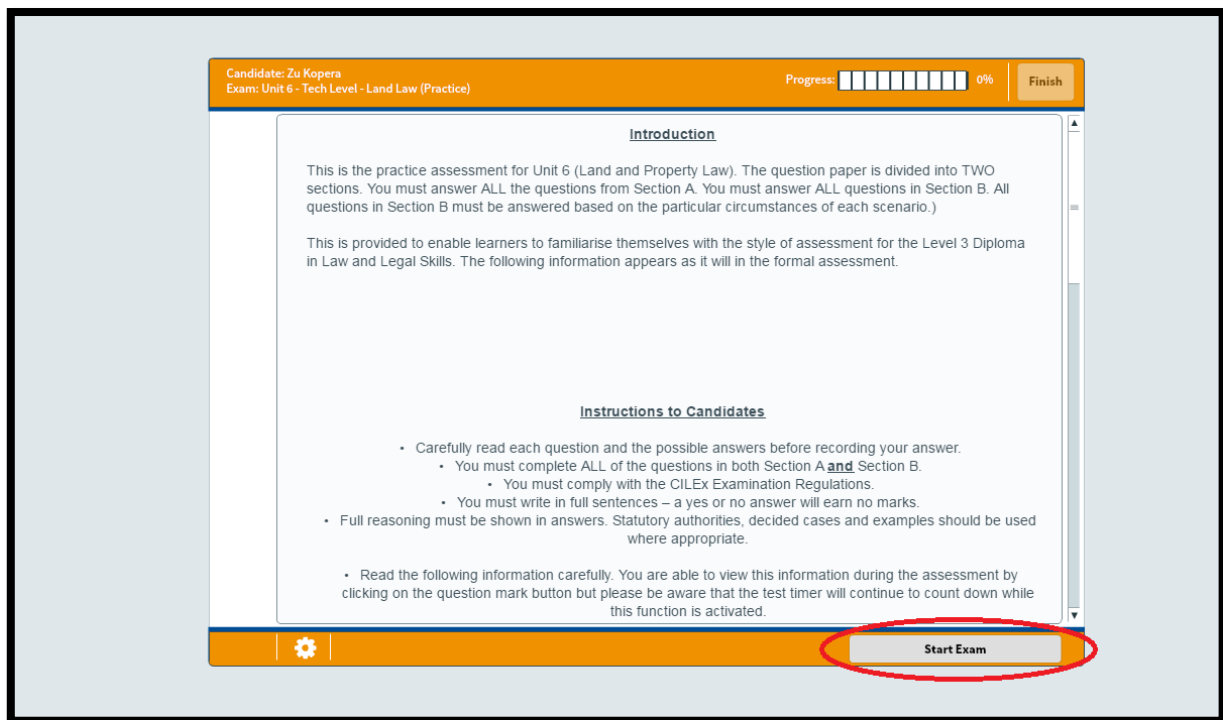
☒ Yes, I accept ☐ No, I do not accept

Powered by Surpass[®]

Once you have confirmed your details and that you accept the CILEx Examination Regulations, you will be asked for a PIN. The PIN will be provided by the Invigilator once all other learners are ready. Inputting this PIN starts the examination.

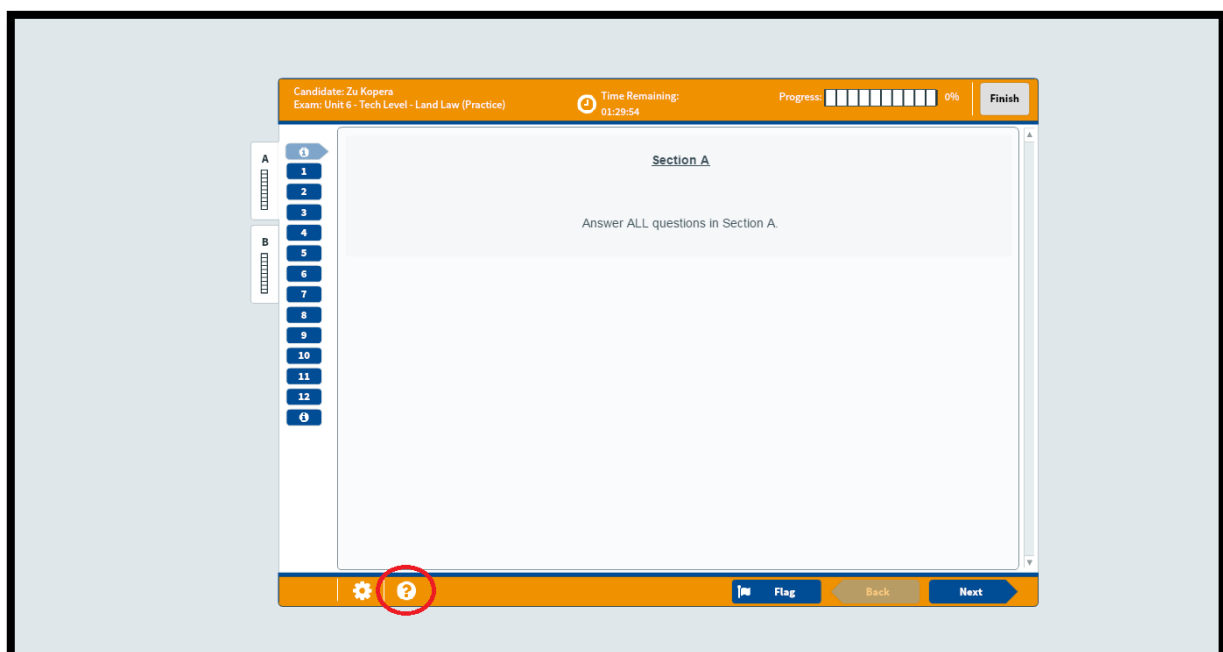


You will then be shown the Instruction Screen (see below). Please read these instructions carefully as they will contain important information; such as length of examination, number of questions required and how to use the tools provided in Surpass. An overview of the tools is shown in a later section of this Guidance.



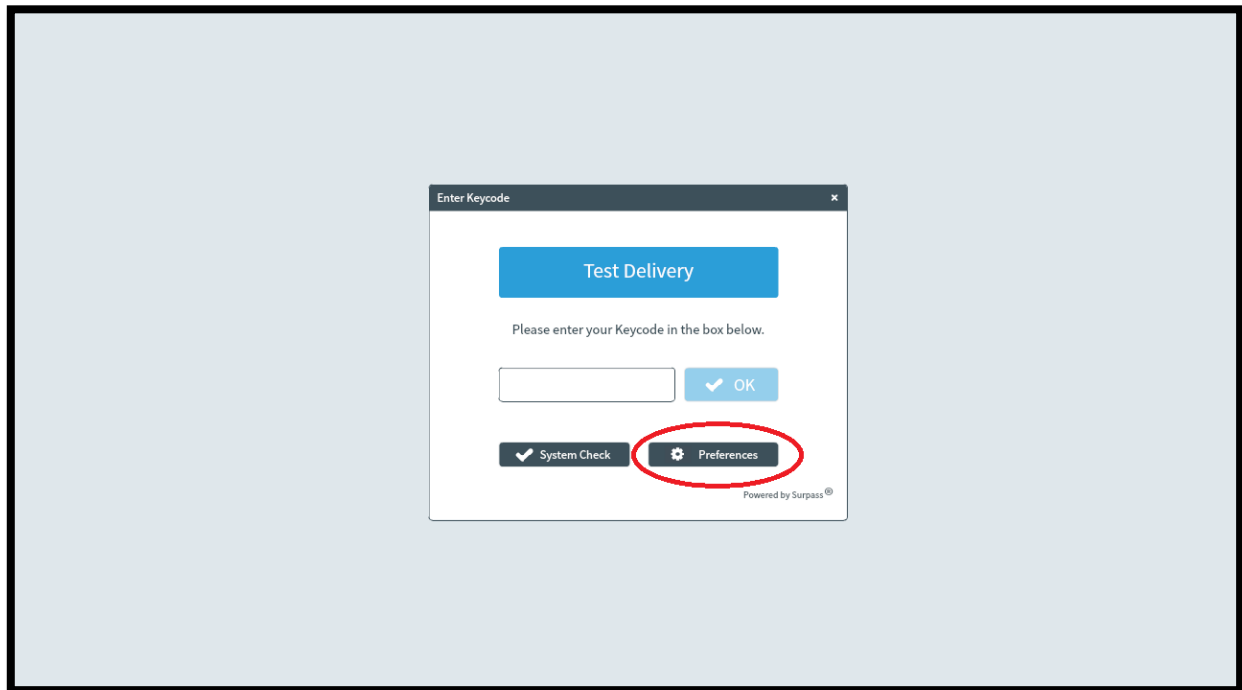
When you have read the Instructions to Learners, click on the 'Start Exam' button to begin. This will start the examination and the timer will begin to count down.

You are able to view the Instructions to Learners during the examination by clicking on the question mark button but please be aware that the test timer will continue to count down while this function is activated.



How to change the look of your examination

You are able to change the colour scheme of the question paper by clicking the 'Preferences' button before you input your Keycode (shown below). This function does not change the layout of the paper.



You can also access this choice during the exam by clicking on the small Cog button in the bottom left corner of the screen (next to the question mark).

Candidate: Demo User
Exam: Introduction to Law and the Legal System...

Time Remaining: 00:59:13

Progress: 0%

Finish

1 A criminal prosecution is brought in the name of the:

2

3

4 Crown Prosecution Service.

5

6

7 Police.

8

9

10 Crown.

11

12

13 Minister of Justice.

14

15

16

17

18

19

20

⚙️ ? Flag Back Next

The screen below will then be presented to you. From here, you can select the option that suits you best.

Preferences

Please choose a colour scheme.

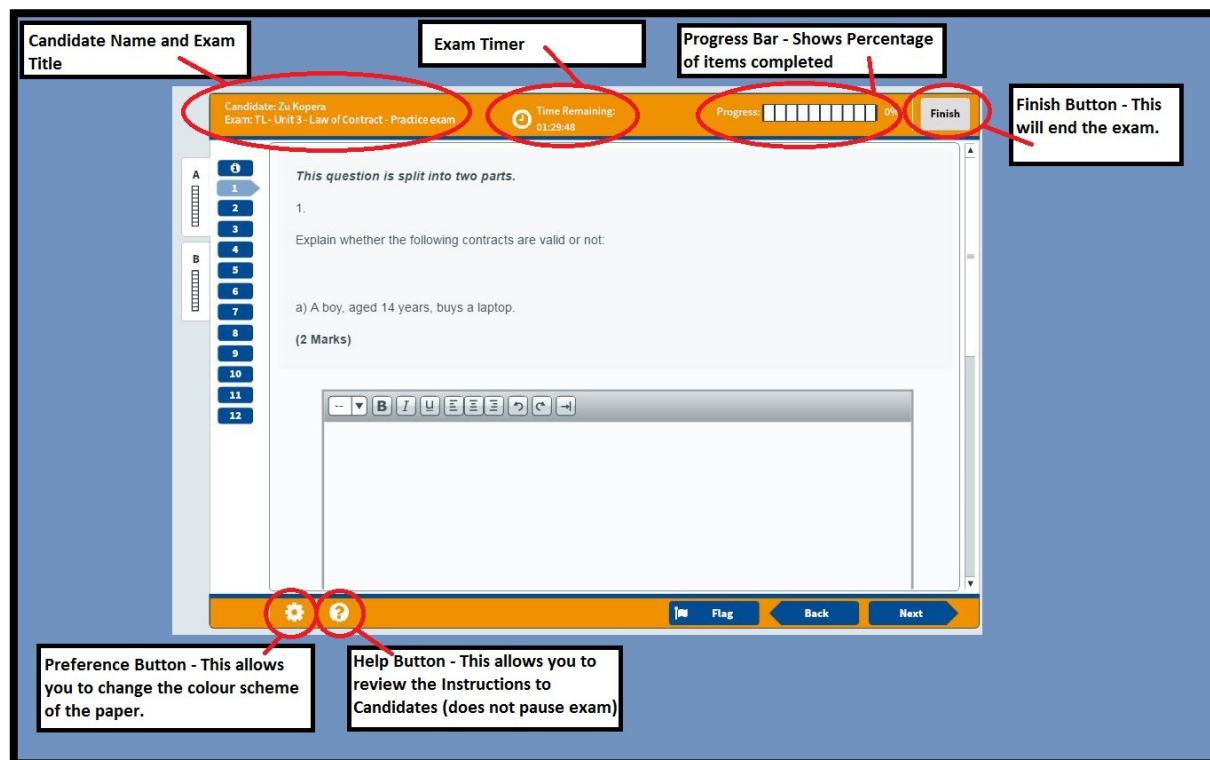
Default colour scheme

Cream with black text	Black with light blue text
Black with white text	Black with light green text
White with black text	Black with light cyan text
Yellow with black text	Black with light magenta text
White with dark blue text	Black with yellow text
Yellow with dark blue text	Light cyan with black text
Black with light grey text	Light magenta with black text
Black with cream text	Light green with black text

Close

The general layout of the Surpass Exam Screen

The diagram below shows the basic layout of an exam in Surpass and is what you will see on the day of the examination.



The diagram below shows the various navigation options that are available in Surpass.

Section Tabs - These split the paper up into sections. Each tab has its own progress bar. You can switch between sections as many times as you like. Please make sure that you have attempted all questions in each section before submitting the paper.

Question List - This shows you the number of questions in the exam and where you are. Each section has its own question list. You can jump between questions by clicking on the number on the question you wish to answer.

Scroll Bar - This allows you to scroll through a question with multiple parts. This will also appear if you will need to scroll down to view the full answer box on single part questions.

Flag Button - This allows you to flag a question so you can return to it later. When you flag a question, a flag icon will appear next to the relevant number on the question list. To unflag the question, simply click this button again.

Navigation Buttons (Back and Next) - These allow you jump to the previous or next question in the exam. You do not need to attempt a question in order to use them.

Multiple Choice tests will have a similar core layout but with a different question structure.

There are no sections in the Multiple Choice Test and all 30 questions will appear down the side of the exam. You will still be able to move around the questions as normal and flag questions to return to.

You will have the ability to strikeout answers that you believe are wrong. This will not contribute to your mark but is a tool that you can use to help you decide on the right answer. Instructions on how to do this can be found on the Instructions to Candidates Screen and in the Candidate Guidance.

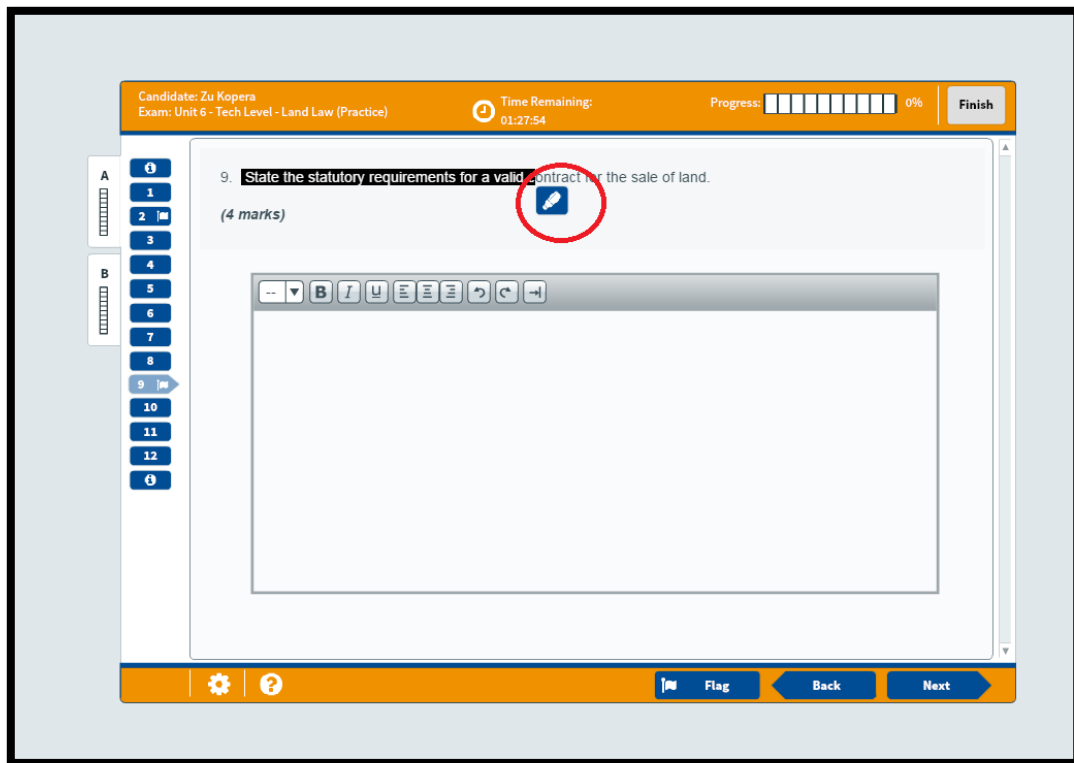
There will be four options for you to choose from. There will only be a single correct answer for each question and you are only allowed to select one option as your answer. To select your answer choice, left click on the option you wish to choose.

How to use the tools in Surpass

There are several actions and tools available via Surpass that will aid in completing your exam: highlighting text, crossing out answers and flagging questions. These are explained in more detail below.

Highlighting

During the test you can use your mouse to highlight key areas of text. To do this: left click, hold and drag over a section of text; let go and a highlighter symbol will appear; click this to highlight the text.



You can de-highlight the text by left clicking the highlighted section again.

Crossing out answers

You can eliminate an answer by right clicking it. This will draw a line through the answer. To remove the strikethrough right click the answer again.

Candidate: Zu Kopera
Exam: Introduction to Law and the Legal System...

Time Remaining: 00:59:46

Progress: 0%

Finish

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
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19
20

According to the theory of the Separation of Powers, which of the following statements correctly describe the role of the legislature:

(i) It can create laws limiting the law making power of future Parliaments
(ii) Its power is limited by the UK's membership of the EU
(iii) It must abide by decisions made by the executive
(iv) It is independent of the executive and the judiciary

(iii) and (iv)

(iii) and (iv)

(iv) and (iii)

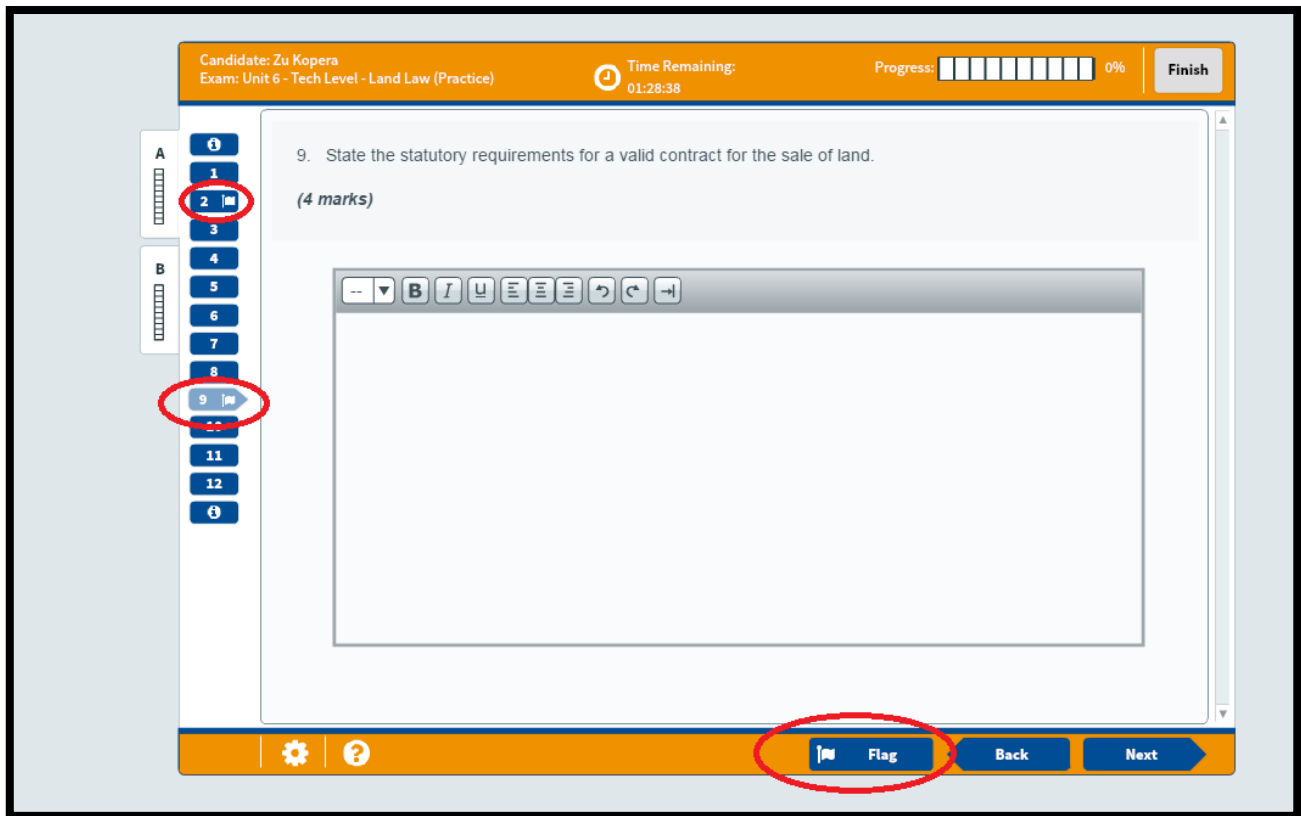
(i) and (ii)

Flag ? Back Next

Flagging Questions

You are able to use the flag system to place a flag next to questions that you are not sure about or would like to review later on in the examination. This can be used as a method of managing your time during the examination.

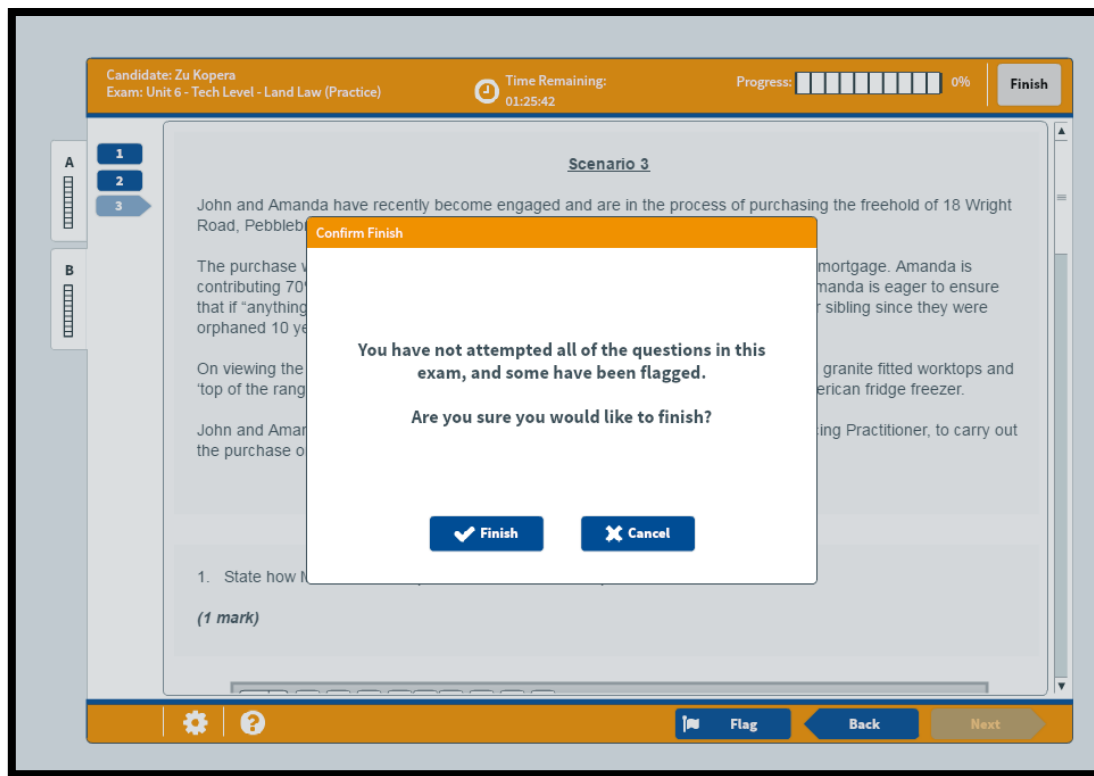
To add a flag click the flag icon at the bottom of the screen. This will add a flag alongside the current question number on the left side of the screen. To remove a flag click the same icon and the flag will be removed from the current question.



If you try to finish the examination with a question still flagged (even if it is completed), a warning message will appear.

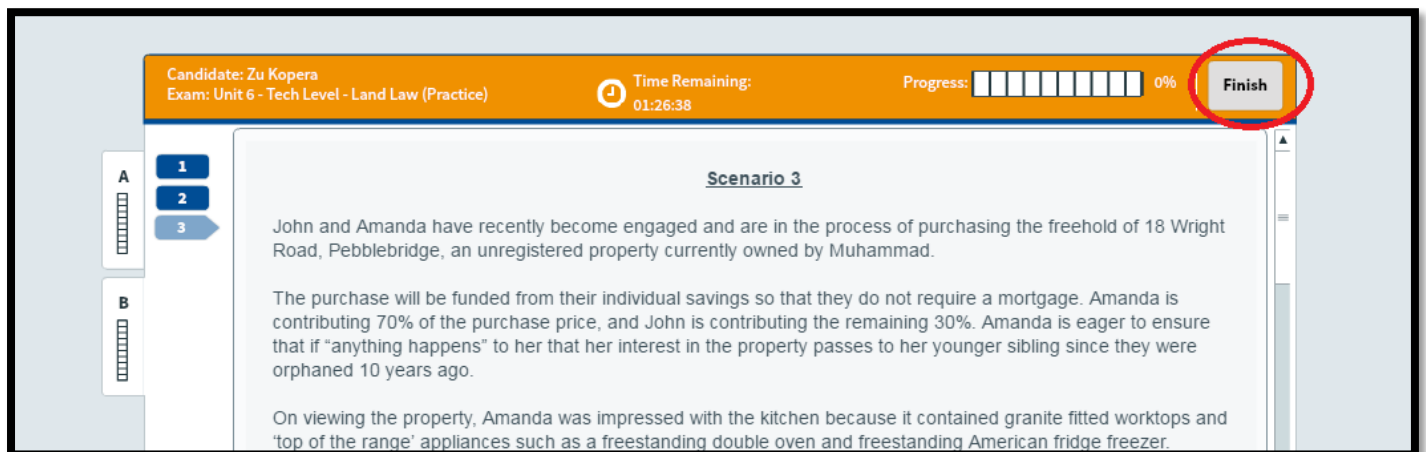
You can choose to do one of two options:

1. Click cancel and go back through to un-flag the questions, as described above,
2. Or you can click 'Finish' to submit the examination with questions still flagged. This will not affect your score (unless you have not attempted the questions).

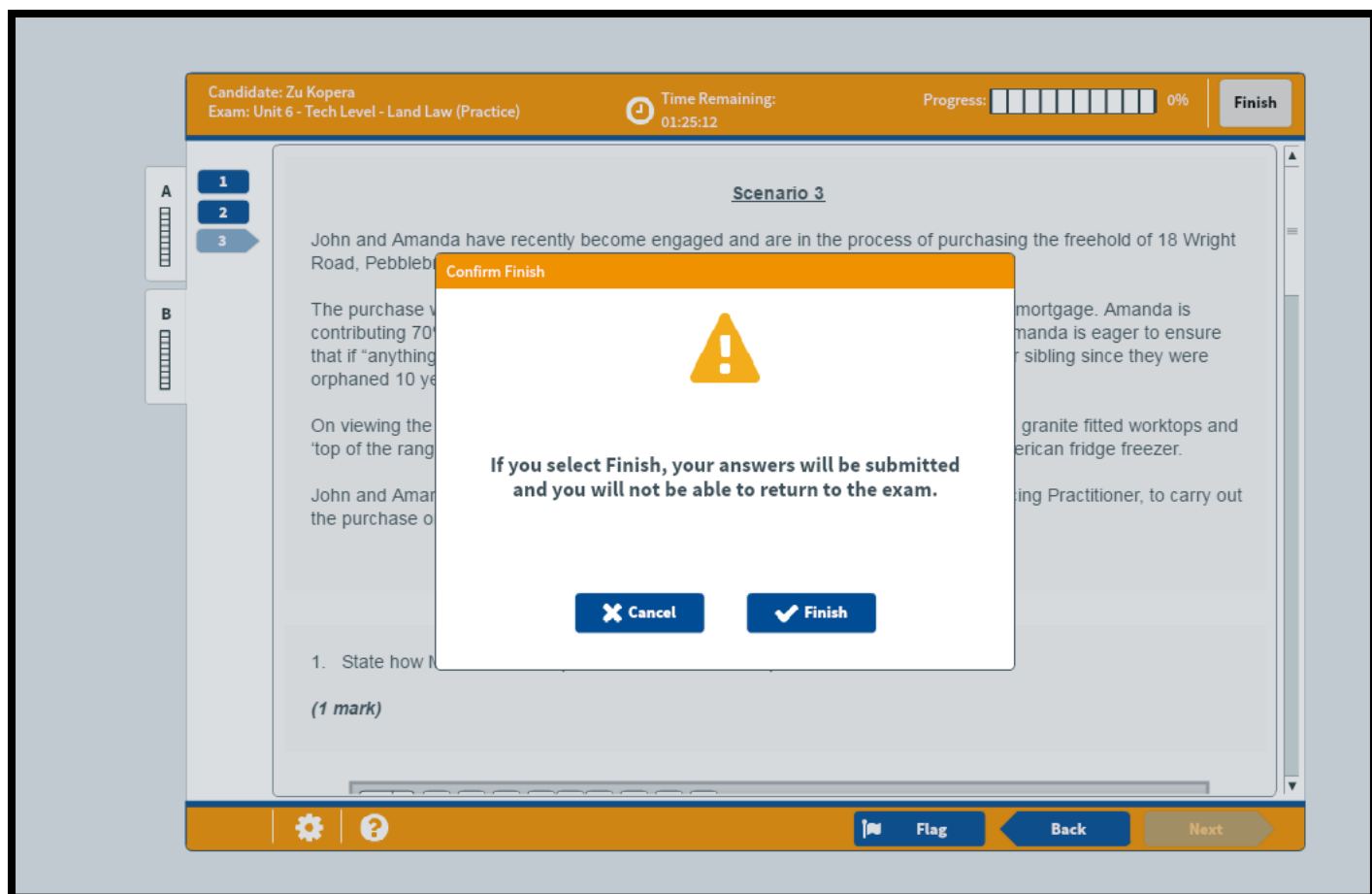


Finishing the Examination

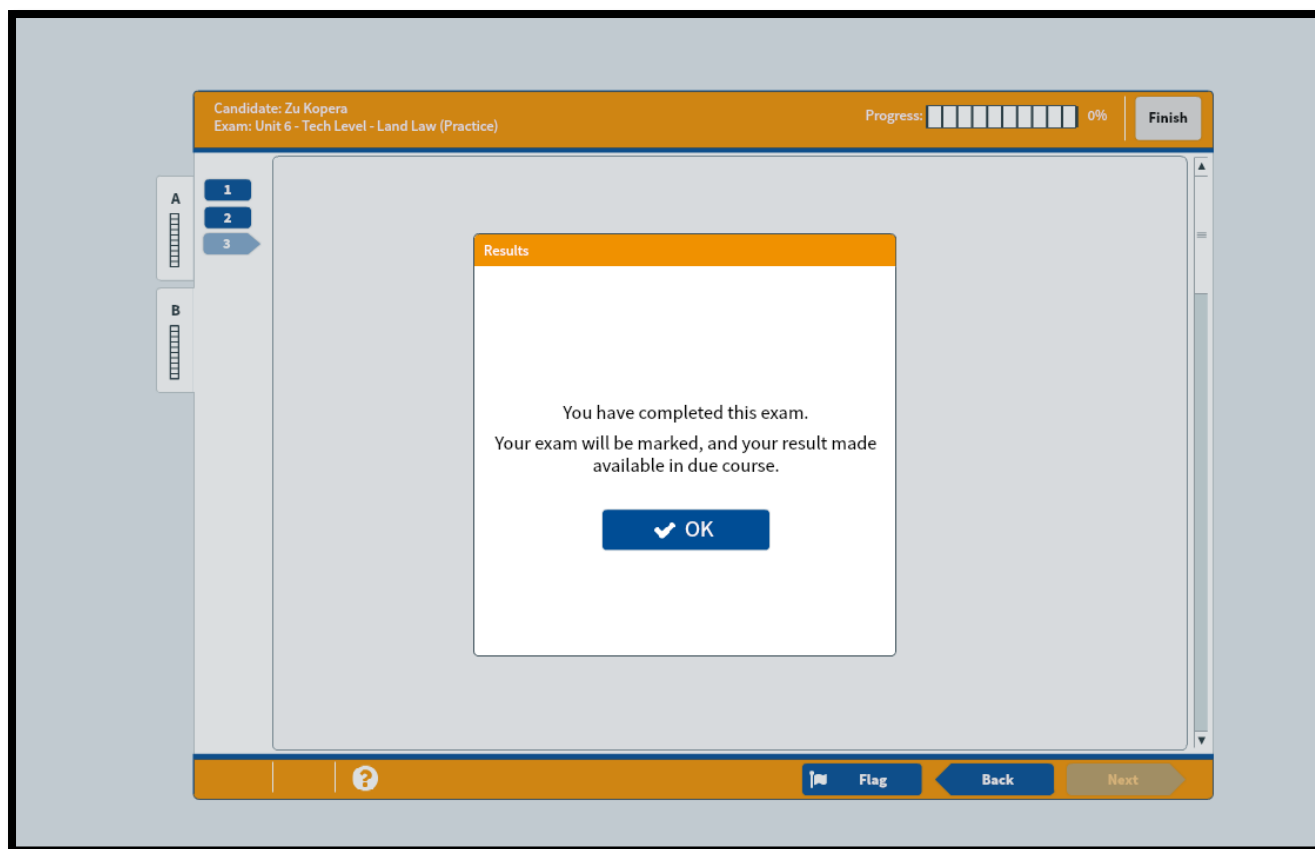
When you are happy with your responses to each question, you can finish the examination by clicking on the Finish button.



You will then be asked to confirm that you would like to end the examination.



You can then click cancel to go back and review your questions or click Finish again. If you click Finish, your examination will be completed and you will not be able to amend any answers that you have provided.



Please do not leave your workstation until you have confirmation from the Invigilator that you are able to do so.

Appendix 5 - Invigilator Guide to Using Surpass

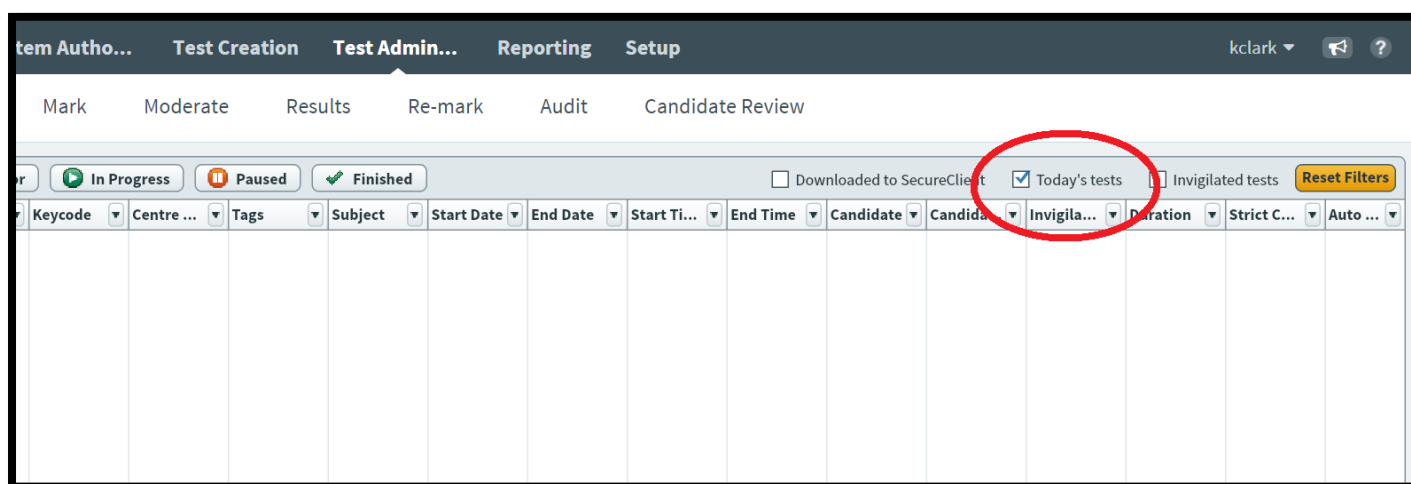
V6 (2018)

Basic Functions

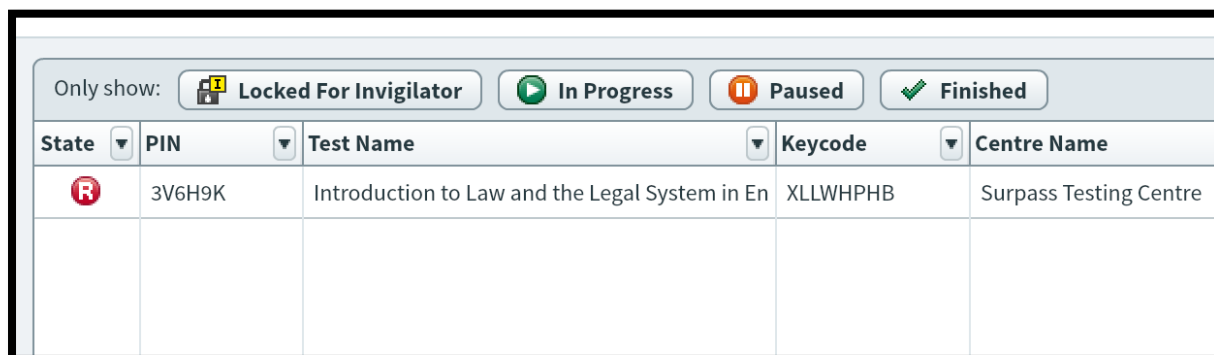
Use the **'Invigilate'** screen to view and manage current examinations. You can also use features on this screen to control learners' access to examinations. You will find the Invigilate Screen in 'Test Administration'.

This screen will show each of the learners that are scheduled to take an examination at your centre, along with their Keycode and the PIN that they will need to access the examination. It will also specify the start date, the start time, the duration allowed and the status of the examination.









This screen will show you when a learner has started the examination, if the examination has been paused and when the learner has finished an examination. You are able to show only today's examinations by ticking the box shown in the top right corner (shown below).



You will also see that the examinations that are to be taken that day will be locked, showing a red R symbol in the far left column (see below). You can also see that the symbol will change when the examination is in progress, when paused and when finished.



Below is a table listed the possible icons and the state they represent:

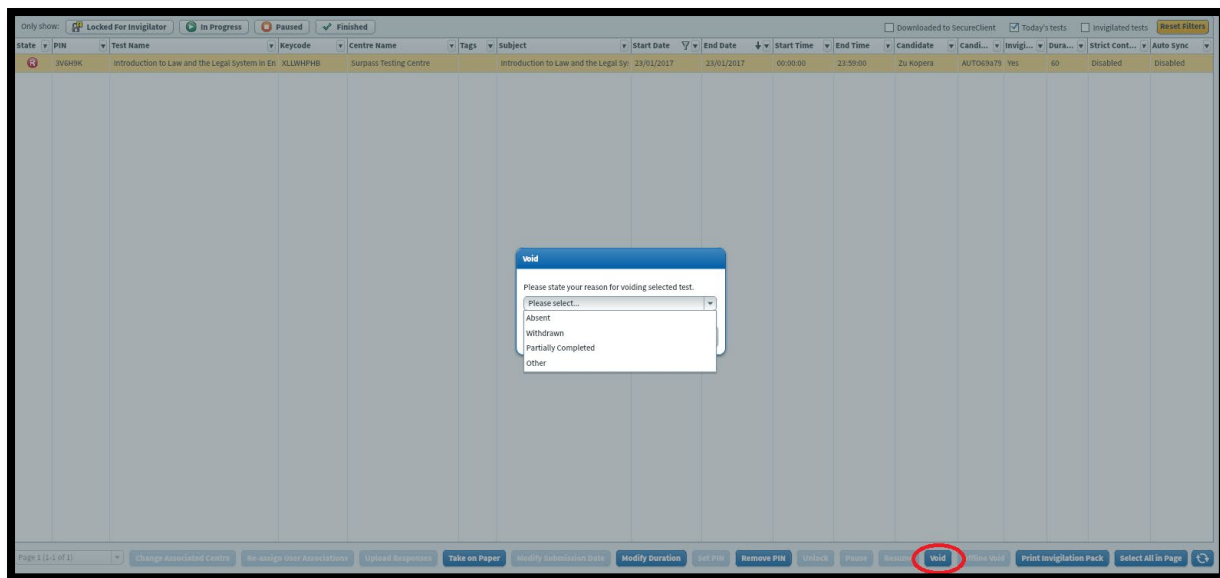
<u>State</u>	<u>Icon</u>
'Locked for Invigilator' – The learner has entered their Keycode and is waiting for the Invigilator to unlock a test.	
'Locked by PIN' – The test cannot be started until the learners enter the correct PIN. The learner must enter their keycode first.	
'Ready' – The test is ready to be taken by the learner.	
'In Progress' – The test is currently being taken by the learner.	
'Paused' – The test has been paused by the invigilator.	
'Awaiting Upload' – The test has been downloaded in advance, sat using the SecureClient and is finished but not yet uploaded back to Test Administration Central.	
'Finished' – The learner has finished taking the test.	
'Voided' – The test has been voided by a member of staff.	

From the Invigilate screen, the invigilator is able to do several things during the examination itself. You must be very careful when altering settings or applying these actions as they will affect live examinations.

Voiding papers

You are able to void a paper (if a learner has failed to show for example) by selecting the learner and then clicking 'Void' which is found at the bottom of the screen (circled red).

You will be asked to provide a reason before confirming the selection. Once void, you are unable to re-instate the learner so please bear this in mind for late arrivals.

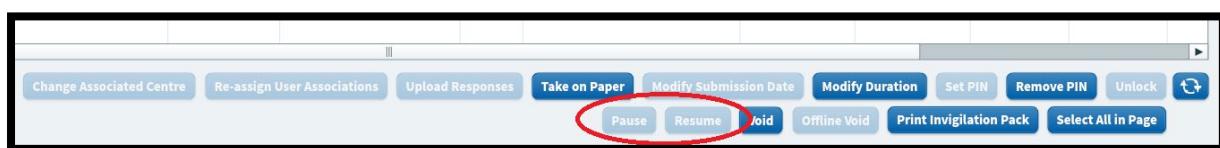


You are also able to pause/un-pause a learner's examination. This will stop the timer on their paper and not penalise them. This is often used for supervised breaks, for example, for learners who require Reasonable Adjustments. It can also be used if there is an emergency that requires evacuation of the examination room.

To use this on a single learner, simply select the learner and click 'Pause', or to un-pause click 'Resume' (circled in red below).

To use on multiple learners, hold Ctrl on the keyboard and select all those affected by left clicking on each with your mouse. Then click 'Pause', or to un-pause click 'Resume'.

To use this on all learners, left click with the mouse on the learner at the top of the screen, then hold Shift on the keyboard and then left click with the mouse on the learner at the bottom of the list. Then you can click 'Pause', or to un-pause 'Resume' and it will apply it to all.



Extend the duration of an exam

An Invigilator is also able to extend the duration of the examination if necessary. This is usually only required if the learner has a Reasonable Adjustment agreement that allows for extra time that is over the normally 25%. This would be communicated to the centre before the day of the examination.

If the learner does not have a Reasonable Adjustment Agreement, the invigilator must only extend the time allowed in exceptional circumstances (eg. an evacuation has taken place and they were not able to pause the exam).

To extend the time allowed for the examination, you select the learner by left clicking their name and then left click 'Modify Duration'. You will be asked to provide a reason for this selection and you may be asked by CILEx later for your reasoning.



If any of these actions (such as pausing exams or extending time limits) have been taken, you will have to record them in the Invigilation Report provided in the Invigilation Pack. Any issues arising from learner behaviour or technical issues should also be logged on the Invigilation Report.

Invigilation Report	
Centre Name:	Surpass Testing Centre
Centre Code:	STC1
Subject:	Introduction to Law and the Legal System in England and Wales (Practice Paper)
Test:	Introduction to Law and the Legal System in England and Wales - Practice Test
Selected Date:	24/01/2017
Selected Start Time:	00:00
Selected End Time:	23:59
Language:	English
The test session started at and finished at	
The test was carried out in accordance with the regulatory requirements and there were no disturbances.	
OR	
The test was carried out in accordance with the regulatory requirements and the following disturbances occurred.	
(Please delete as applicable)	
Details of any disturbances	
(If the report is long, a separately-signed sheet may be attached to this report.)	
<div></div>	

Once the Invigilation Report is completed, it needs to be sent back to CILEx as part of the examination process. Attendance Records and Invigilation Reports are to be emailed to legalstudies@cilex.org.uk.

Appendix 6 - Overall Results and Certification Guidance

Learners must be registered at the beginning of their course. Centres should email the completed qualification registration form to legalstudies@cilex.org.uk.

Assignments successfully achieved should be claimed by completing the unit claim form and emailing it to legalstudies@cilex.org.uk; component numbers must be entered followed by P (Pass); M (Merit); D (Distinction).

For the Level 2 Certificate and Diploma in Legal Studies, once learners have achieved all necessary assessments, full qualification certificates can be claimed. The learner **must** pass the assessment for The Legal Environment. The **overall grade** for the qualification should be calculated using the conversion chart below.

Full certificates are only issued to learners who have met the full requirements of the qualification(s). Certificates will be issued within 30 working days of making a qualification claim or 30 working days from the point of a successful External Quality Assurance Review (EQA).

Combination rules for grading full qualifications

Each assignment result is awarded points. A minimum of a **Pass** must be obtained in each assignment.

- Pass = 1 point
- Merit = 2 points
- Distinction = 3 points

Add the points together and determine overall qualification grade using the conversion chart, as in the following example.

	Pass	Merit	Distinction
Assignment 1	1		
Assignment 2		2	
Assignment 3	1		
Assignment 4			3
Total	7		
Total points (7) divided by no. of assignments (4)	1.75		
Overall qualification grade (see conversion chart)	Merit		

Overall grade conversion chart:

Average	Grade
---------	-------

1 to 1.5	Pass
1.6 to 2.5	Merit
2.6 to 3	Distinction

Appendix 7 – Unit List and Unit Specs

UAN	Unit Number	Level	Unit Title	Qualification Family
R/503/8688	Unit 201	2	The legal environment	Legal Studies
A/504/0628	Unit 202	2	Principles of criminal liability	Legal Studies
D/504/0394	Unit 203	2	Principles of contract liability	Legal Studies
H/504/0395	Unit 204	2	Principles of negligence	Legal Studies
F/504/0629	Unit 205	2	Law in the workplace	Legal Studies
T/504/0630	Unit 206	2	Civil litigation	Legal Studies
A/504/0631	Unit 207	2	Consumer rights	Legal Studies
H/504/0400	Unit 208	2	Family law	Legal Studies
F/504/0632	Unit 209	2	Wills and succession	Legal Studies
J/504/0633	Unit 210	2	Conveyancing	Legal Studies

Unit 201 – The Legal Environment

Credit Value	5
GLH	35
Assessment requirements specified by a sector or regulatory body:	This unit will be assessed by an externally set and marked multiple-choice test graded Pass only.
Aim:	The aim of this unit is to enable the learner to develop a basic knowledge of how laws are made and by whom, and to gain an overview of how the legal system operates in relation to both civil and criminal matters. The skills developed by the learner include research skills.

Learning Outcomes	
The Learner will:	
1. Understand the purpose of law and the framework within which it operates	
Assessment criteria	
The learner can:	
1.1 describe law as sets of rules or codes of conduct	
1.2 explain the aims of law	
1.3 identify the differences between civil (private) and criminal (public) law	
Range	
Aims of law - To regulate society, to provide a means of dispute resolution for individuals	
Differences - Case examples, identifying different terminology, different courts, burden of proof, outcome	
Learning Outcomes	
The Learner will:	
2. Understand the main sources of English Law	
Assessment criteria	
The learner can:	
2.1 identify the stages in statute creation	
2.2 explain the concept of parliamentary supremacy	
2.3 identify the main rules of statutory interpretation	

- 2.4** explain the role of delegated legislation
- 2.5** explain the system of judicial precedent
- 2.6** describe the effect of European law on the legal system
- 2.7** describe the purpose of Section 3 of the Human Rights Act 1998.

Range

Stages in statute creation - Green Paper, White Paper, First Reading, Second Reading, Committee Stage, Report Stage, Third Reading, House of Lords, Royal Assent

Main rules of statutory interpretation - Literal rule, golden rule, mischief rule, purposive approach

Role of delegated legislation - Bye-laws, orders in council, statutory instruments

System of judicial precedent - Binding and persuasive precedent, ratio decidendi, obiter dicta, law reports, hierarchy of the courts, common law created by judges

Effect of European law on the legal system - Obligation of the courts to give precedence to European law

Learning Outcomes

The Learner will:

- 3. Understand the operation of the legal system

Assessment criteria

The learner can:

- 3.1** identify the hierarchical structure of the courts
- 3.2** describe the jurisdiction of each of the courts
- 3.3** describe the role of legal personnel
- 3.4** describe the role of lay people in the legal environment
- 3.5** explain the range of advice and financial assistance available to a claimant in a civil case
- 3.6** explain the range of advice and financial assistance available to a defendant in a criminal case
- 3.7** describe pre-trial procedure in criminal cases
- 3.8** identify the range of sentences following a criminal trial
- 3.9** identify alternative methods of dispute resolution in civil cases
- 3.10** describe the process of a civil claim
- 3.11** describe the main remedies available in a civil claim

Range

Courts - County Court, High Court, Court of Appeal (Civil Division), Magistrates' Court (Civil and Criminal jurisdiction), Crown Court, Court of Appeal (Criminal Division), Supreme Court, European Court of Justice

Legal personnel

Judges – District Judge, High Court Judge (Puisne Judge), Circuit Judge, Barristers, Solicitors, Chartered Legal Executives

Lay people - Juries, Magistrates (also known as Justices of the peace)

Advice

Civil case – Solicitors, Citizens Advice Bureaux, advice centres, charities, trade and professional associations

Criminal case – Solicitors, Law Centres, Citizens Advice Bureaux, advice centres

Financial assistance

Civil case – private finance, insurance, civil legal aid, conditional fee agreements, Damages based agreement

Criminal case – private finance, criminal legal aid

Pre-trial procedure - Determination of mode of trial (summary, either way, indictable), bail, remand

Range of sentences - Custodial, suspended, community, fines

Alternative methods - Tribunals, arbitration, mediation, negotiation, ombudsman

Process of a civil claim - Claim form, particulars of claim, directions questionnaire, track allocation,

Main remedies - Damages, injunctions

Guidance

Resources

For this unit the likely resources required will be:

- diagram of the court structure example of statute

example cases:

- The Literal Rule (Fisher v Bell (1961), Whitely v Chappell (1868))
- The Golden Rule (Adler v George (1964), R v Allen (1872))
- The Mischief Rule (Heydon's Case (1584), Smith v Hughes (1960))

Unit 202 - Principles of criminal liability

Credit Value:	4
GLH:	27
Assessment Requirements:	This unit will be assessed by assignment
Aim:	The aim of this unit is to enable the learner to gain an understanding of the principles of criminal law. The learner will develop the necessary knowledge and skills to be able to identify the constituent parts of a crime and the basis of criminal culpability.

Learning outcomes
The learner will:
1: Understand the key elements of a crime
Assessment criteria
The learner can:
1.1 identify the actus reus of a crime
1.2 identify the mens rea of a crime
1.3 explain crimes of strict liability
Range
Actus reus of a crime - Physical act, omission, state of affairs, causation
Mens rea of a crime -Direct intention, indirect intention, recklessness
Crimes of strict liability - Physical act, omissions, no requirement for mens rea, state of affairs, appropriate case examples (e.g. R v Roberts (1976); R v Smith (1959); R v Jordan (1956); R v Blaue (1975); R v Mohan (1976); R v Nedrick (1986); R v Woollin (1998); R v G & R (2003); R v Storkwain (1986); Sweet v Parsley (1970))
Learning outcomes
The learner will:
2. Understand the main fatal and non-fatal offences against the person
Assessment criteria
The learner can:
2.1 identify the range of fatal offences against the person
2.2 identify the range of non-fatal offences against the person
Range
Fatal offences against the person
Murder, voluntary manslaughter, Involuntary Manslaughter (unlawful act) and (gross negligence)
Non-fatal offences against the person
Assault, Battery, Offences Against The Person Act 1861 – Section 47 assault occasioning actual bodily harm, Section 20 grievous bodily harm and wounding, Section 18 grievous bodily harm and malicious wounding, Chart actus reus and mens rea of each offence

Unit 203- Principles of contract liability

Credit Value:	4
GLH:	23
Assessment Requirements:	This unit will be assessed by assignment
Aim:	<p>The aim of this unit is to enable the candidate to gain an understanding of the principles of contract law. The candidate will develop the necessary knowledge and skills to be able to:</p> <ul style="list-style-type: none"> • identify the essential elements of establishing a contractual relationship enforceable at law • analyse areas of contract law that may give rise to disputes in contractual relationships

Learning outcomes
The learner will:
1. Understand the key elements of a contract
Assessment criteria
The learner can:
1.1 explain the necessity for agreement
1.2 identify the requirements for consideration in a contract
1.3 explain the importance of intention in a contract
Range
Necessity for agreement
Offer/acceptance (including invitations to treat), counter offer
Requirements for consideration in a contract
Something of value, past consideration, promise must be more than an existing duty
Intention in a contract
Rebuttable presumptions: business and commercial contracts, social and domestic contracts
Learning outcomes
The learner will:
2. Understand the circumstances in which a contract may be discharged and the main remedy on breach
Assessment criteria
The learner can:
2.1 describe the circumstances in which a contract may be discharged
2.2 explain the remedy of damages
Range
Circumstances

Performance (full, part, substantial), agreement, breach, frustration, Law Reform (Frustrated Contracts) Act 1943

Remedy of damages

measure of damages, aim of damages

Guidance

Resources

For this unit the likely resources required will be:

Law Reform (Frustrated Contracts) Act 1943

Unit 204 - Principles of negligence

Credit Value:	4
GLH:	21
Assessment Requirements:	This unit will be assessed by assignment
Aim:	The aim of this unit is to enable the candidate to gain an understanding of the principles of tort law. The candidate will develop the necessary knowledge and skills to be able to identify the elements of liability for negligence.

Learning outcomes	
The learner will:	
1. Understand the key elements of duty of care	
Assessment criteria	
The learner can:	
1.1	explain the neighbour principle
1.2	describe the three part test of foreseeability, proximity and the requirement that it should be fair, just and reasonable
Learning outcome	
The learner will:	
2. Understand the key elements of breach of duty of care	
Assessment	
The learner can:	
2.1	explain the reasonable man test
2.2	describe the factors that the court will take into account when assessing if there has been a breach
Learning outcome	
The learner will:	
3. Understand the principles of remoteness of damage	
Assessment criteria	
The learner can:	
3.1	explain the requirement for foreseeability
3.2	explain the requirement for legal proximity
Range	
Requirement for foreseeability	
Intervening acts, thin skull rule	
Legal proximity	
Legal causation	
Learning outcome	

The learner will:

4. Understand defences to an action of negligence

Assessment criteria

The learner can:

4.1 explain the **defence of volenti non fit injuria**

4.2 explain the **defence of contributory negligence**

Range

Defence of volenti non fit injuria

No injury can be done to a willing person, consent in sporting activities, requirement for genuine consent

Defence of contributory negligence

Claimants own action will reduce damages, Law Reform (Contributory Negligence) Act 1945

Learning outcome

The learner will:

5. Understand public policy requirements for claims for psychiatric harm

Assessment criteria

The learner can:

5.1 distinguish between physical and psychiatric damage

5.2 explain the difference between primary and secondary victims

5.3 explain the requirements for a claim by secondary victims

5.4 explain the position of rescuers in claims for psychiatric

Unit 205 - Law in the workplace

Credit Value:	4
GLH:	21
Assessment Requirements:	This unit will be assessed by assignment
Aim:	The aim of this unit is to enable the candidate to develop the knowledge to be able to distinguish between employee and non-employee status, the importance of a contract of employment and statutory requirements of the workplace.

Learning outcome	
The learner will:	
1.	Understand the differences between a self employed person and an employed person
Assessment criteria	
The learner can:	
1.1	describe the tests that are used to identify an employed person and a self employed person
1.2	describe the practical points that the tests examine to distinguish between an employed person and self employed person
1.3	explain how the courts will apply tests to different situations
1.4	explain the principle of vicarious liability within course of employment
Range	
Tests	
The control test, the organisation test, the composite/multiple test	
Practical points	
Do they pay their own tax, do they have access to equipment, do they negotiate their own hours of work and rates of pay, level of supervision	
Learning outcome	
The learner will:	
2.	Understand the importance of a contract of employment
Assessment criteria	
The learner can:	
2.1	describe the advantages of having a contract
2.2	identify the main express terms that would usually be found in a contract of employment
2.3	identify the implied terms of a contract of employment for the employer
2.4	identify the implied terms of a contract of employment for the employee
Range	
Contract	
Different types of employment contracts – verbal, written, implied by contract	
Main express terms	

names of the employer/employee, place of work, hours of work, holiday entitlement, job title, sick leave entitlement, date when employment commences, salary, collective agreements, special conditions (e.g. working from home)

Implied terms of a contract of employment

For the employer – duty to pay a salary, take reasonable care of employees, reimbursement of expenses, rights relating to working time, minimum period of notice, trust and confidence, minimum wage, provide safe working environment

For the employee – duty of good faith owed by employees, duty of obedience, level of skill and care

Learning outcome

The learner will:

3. Understand how contracts of employment can be terminated

Assessment criteria

The learner can:

- 3.1** explain the main distinction between wrongful dismissal and unfair dismissal
- 3.2** identify **situations** where a dismissal would be automatically unfair
- 3.3** identify the potentially **fair reasons for dismissal**
- 3.4** describe the different **remedies** for unfair dismissal and the procedures for obtaining these
- 3.5** describe the **pro-formas** used to commence an action including their content

Range

Situations

Pregnancy, sexual orientation

Fair reasons for dismissal

Incapability or lack of qualifications, misconduct, redundancy, breach of statute, some other substantial reason (e.g. failing to sign a new employment contract that has been agreed through collective bargaining or business re-structure)

Remedies

Damages, re-instatement, re-engagement

Pro-formas

ET1, ET3

Learning outcome

The learner will:

4. Understand the requirements of an effective working environment

Assessment criteria

The learner can:

- 4.1** describe the health and safety and equality legislation that applies to the working environment
- 4.2** identify

Range

Health and safety and equality legislation

The Health and Safety at Work Act 1974 – the rights and duties of the employer and employee. The Equality Act 2010 - discrimination on the grounds of age, disability, pregnancy, gender reassignment, marriage and civil partnership, race, religion or belief, sex and sexual orientation.

Difference between direct and indirect discrimination

access to employment, reasonable adjustments

Guidance

Resources

For this unit the likely resources required will be:

An example case study that sets out the relevant factors between the categories of an employed person and self-employed person and lists the practical examples that distinguish the two

A sample induction plan that encourages the candidate to consider what would be included in an induction package for new members of staff within an office environment

The Equality Act 2010

The Health and Safety at Work Act 1974

Unit 206 – Civil litigation

Credit Value:	4
GLH:	19
Assessment Requirements:	This unit will be assessed by assignment
Aim:	The aim of this unit is to enable the candidate to develop an understanding of the process of a claim for debt recovery and personal injury through the county court.

Learning outcomes	
The learner will:	
1.	Understand the civil court structure and the significance of the Civil Procedure Rules
Assessment criteria	
The learner can:	
1.1	describe the civil court structure
1.2	explain the overriding objective of the CPR
1.3	explain the importance of pre-action protocols
1.4	identify the duties of the court and the court's management powers
Range	
Civil court structure	
County Court, High Court	
Duties of the court	
Active case management by judges, case conference, limiting number of witnesses, expert reports, acceptance of written statements	
Learning outcome	
The learner will:	
2.	Understand pre-action matters
Assessment criteria	
The learner can:	
2.1	explain the requirements of a pre-action protocol
2.2	explain the need to consider alternative dispute resolution (ADR)
2.3	explain the most appropriate trial track depending on circumstances and the value of a case
Range	
Requirements	
Initial instruction, claim form, particulars of claim, letter of claim, forms of authority, conditional fee agreements	
Alternative dispute resolution (ADR)	
Arbitration, mediation, negotiation	

Trial track
Small claims, fast track, multi-track.
Learning outcome
The learner will:
3. Understand how a civil action may be financed
Assessment criteria
The learner can:
3.1 identify different funding methods according to individual client circumstances
Range
Funding methods
Private payment, public funds, pro-bono work, Community Legal Service Fund, conditional fee agreements, trade union or professional body, insurance
Learning outcome
The learner will:
4. Know how to commence a case in the County Court
Assessment criteria
The learner can:
4.1 identify the contents of a letter before action in respect of a civil debt
4.2 identify the contents of an N1 claim form
Guidance
Resources
For this unit the likely resources required will be: CPR Pre-Action Protocols (CPR) Court diagram Sample conditional fee agreements N1 claim form.

Unit 207 – Consumer Rights

For candidates that have registered and started Unit 207 before May 2017 please contact CILEX for the old unit specification.

Credit Value:	4
GLH:	21
Assessment Requirements:	This unit will be assessed by assignment
Aim:	The aim of this unit is to enable the candidate to gain a general understanding of consumer law, and to develop knowledge in relation to contracts and consumer protection.

Learning outcome	
The learner will:	
1. Understand how consumer contracts are formed	
Assessment criteria	
The learner can:	
1.1 describe the basic requirements of a valid consumer contract	
1.2 explain contractual terms	
Range	
Basic requirements	
Offer, acceptance, consideration, capacity, intention	
Contractual terms	
Express terms, implied terms, conditions and warranties and unfair terms	
Learning outcome	
The learner will:	
2. Understand the different types of consumer contracts and the applicable statutory rights under the Consumer Rights Act 2015	
Assessment criteria	
The learner can:	
2.1 describe what constitutes a contract for goods and the statutory rights under the Consumer Rights Act 2015	
2.2 describe what constitutes a contract for services and the statutory rights under the Consumer Rights Act 2015	
2.3 describe what constitutes a digital content contract and the statutory rights under the Consumer Rights Act 2015	
Range	
Digital Content	
Digital content is data which are produced and supplied in digital form. Applies to any content downloaded or streamed.	
Applies to digital content which has been purchased and to any free digital content which is not usually free unless a price is paid for the goods, services or digital content supplied with it.	

Statutory Rights for goods

Goods to be of satisfactory quality, fit for a particular purpose, as described and match sample

Key Sections

Sections 9, 10, 11, 13, 16, 17

Statutory Rights for services

Service to be performed with reasonable care and skill, reasonable price to be paid, and service to be performed in a reasonable time

Key Sections

Sections 48, 49, 51, 52

Statutory Rights for digital content

Satisfactory quality, fit for a particular purpose, as described by the seller.

Key Sections

Sections 34, 35, 36

Learning outcome

The learner will:

- 3.** Understand the basic buyer's remedies on breach of a consumer contract

Assessment criteria

The learner can:

- 3.1** explain the purpose and effect of **common law remedies**
3.2 explain the **statutory remedies** on breach of a consumer contract

Range**Common Law Remedies** (non-statutory remedies)

Damages and specific performance

Statutory Remedies

Repair, replacement, rejection, refund, partial refund and/or compensation.

Enforcement of terms: right to repeat performance, right to price reduction, right to compensation if any device or digital content damaged as a result of the faulty digital content which was downloaded

Guidance**Resources**

For this unit the likely resources required will be:

The Consumer Rights Act 2015

CILEx Level 2 Consumer Rights course book

Unit 208- Family Law

Credit Value:	4
GLH:	21
Assessment Requirements:	This unit will be assessed by assignment
Aim:	The aim of this unit is to enable the candidate to develop an understanding of key aspects of family law and procedure relating to marriage, civil partnership and children.

Learning outcomes	
The learner will:	
1. Understand the requirements for a valid marriage and civil partnership	
Assessment criteria	
The learner can:	
1.1	identify the formalities of a valid marriage:
1.2	explain the requirement for capacity in relation to a valid marriage
1.3	describe the factors relating to void and voidable marriages
1.4	explain the basic principles of the Civil Partnership Act 2004
Range	
Formalities	
Requirements of the Marriage Act 1949 and the Marriage Act 1994 for Church of England/other weddings, solemnisation of religious/civil weddings. Requirements for civil partnerships (ss. 1, 2 and 3 Civil Partnership Act 2004).	
Requirement for capacity	
age, prohibited degrees (as per Marriage Act 1949 and s. 3 Civil Partnership Act 2004) parties already married, or marriage is a polygamous one, as per Matrimonial Causes Act 1973 (MCA 1973) as amended by the Marriage (Same Sex Couples) Act 2013).	
Factors	
Grounds re voidable marriage as per s12 MCA 1973 ., voidable marriage requires a degree of nullity., Grounds re void marriage as per s11 MCA 1973, void marriage does not require decree of nullity.	
Learning outcome	
The learner will:	
2. Understand the procedure for the dissolution of a marriage or civil partnership	
Assessment criteria	
The learner can:	
2.1	explain the ground and the facts required to establish this ground, in relation to dissolution of marriage or civil partnership
2.2	distinguish between divorce and judicial separation
2.3	describe dissolution procedure for a marriage or civil partnership including examples of relevant documentation.

Range
Ground and facts Matrimonial Causes Act 1973, s1 – irretrievable break down; s1 (2)(a)-(e) five facts (adultery, behaviour, desertion, two year separation with consent- and five-year separation), Civil Partnership Act 2004 (CPA 2004) four facts under s44 CPA 2004.
Learning outcome
The learner will:
3. Understand the provisions relating to children following the breakdown of a relationship
Assessment criteria
The learner can:
3.1 explain the welfare principle contained in Section 1 of the Children Act 1989 3.2 explain the no delay, non-intervention principle and the welfare checklist 3.3 describe the orders available under Section 8 of the Children Act 1989 and the circumstances in which they could be used.
Range
Orders Child arrangements specific Issue and prohibited steps orders
Guidance
Resources For this unit the likely resources required will be: The Marriage Act 1949 The Marriage Act 1994 The Matrimonial Causes Act 1973 The Children Act 1989 The Children and Families Act 2014 The Adoption and Children Act 2002 (s111) examples of Orders case examples, e.g. Hyde v Hyde (1866) The Civil Partnership Act 2004

Unit 209 – Wills and succession

Credit Value:	4
GLH:	21
Assessment Requirements:	This unit will be assessed by assignment
Aim:	The aim of this unit is to enable the candidate to gain an understanding of the legal requirements for a valid Will. The candidate will develop the necessary knowledge and skills to be able to identify the roles of executors, the different types of legacies and grants of representation and the priority of beneficiaries under an intestacy.

Learning outcome	
The learner will:	
1. Understand the legal requirements of a valid Will	
Assessment criteria	
The learner can:	
1.1	explain the requirements of the Wills Act 1837 in relation to the formalities of Wills
1.2	describe the role of the executor/s and witnesses
1.3	describe the circumstances in which the requirements of the Wills Act 1837 have been modified for privileged wills
1.4	describe how a will can be revoked
Range	
<p>Formalities Wills Act 1837 ss 7 and 9 (as amended by Administration of Justice Act 1982) s. 21 (alterations after execution)</p> <p>Role of the executor/s and witnesses Executors: number; individuals, banks, solicitors, public trustee; general power to administer estate and discharge liabilities (including any taxes) and pay legacies; authority from date of death Witnesses: number; must be present at time of signing by testator; need not see the whole Will; must sign in the presence of testator and each other; cannot benefit from Will (Wills Act 1837 s.15); Executor or creditor as witness.</p> <p>Privileged wills Members of armed forces on active service or sailors at sea; “in conditions similar to actual military service”; exempt from Wills Act 1837 s. 9; may be oral or written; Wills (Soldiers and Sailors) Act 1918.</p> <p>Revoked Making another; implied revocation; formal revocation (Wills Act 1837 s. 20); destroying Will (Wills Act 1837 s. 20); by marriage or civil partnership (Wills Act 1837 ss 18 and 18B); by divorce or dissolution of civil partnership (Wills Act 1837 ss 18A and 18C)</p>	
Learning outcome	
The learner will:	

2. Know the standard format of a simple Will

Assessment criteria

The learner can:

- 2.1 describe the **basic principles** of drafting a Will
- 2.2 describe the different **types of legacies**
- 2.3 identify an appropriate **attestation clause**

Range

Basic principles

Commencement of Will, revocation of earlier Wills, appointment of executors; legacies; administrative powers; attestation clause

Types of legacies

General, demonstrative, specific, pecuniary, residuary

Attestation clause

Evidence that Will has been properly executed; not compulsory

Learning outcome

The learner will:

3. Understand the rules of intestacy

Assessment criteria

The learner can:

- 3.1 identify circumstances in which an **intestacy arises**
- 3.2 identify the **priority** of those entitled to a grant of letters of administration
- 3.3 explain how the estate of an intestate will be **distributed**
- 3.4 identify how a beneficiary may **forfeit** his/her right to any inheritance

Range

Intestacy rules

When an intestacy may arise; partial intestacy; Administration of Estates act 1925 s. 47

Priority

Administration of Estates Act 1925 s. 46 (including bona vacantia); Administration of Estates Act 1925 s. 46(2A)

Distribution

Administration of Estate Act 1925 s. 46 (including bona vacantia); Administration of Estates Act 1925 s. 46(2A)

Forfeiture

The forfeiture rule; Forfeiture Act 1982 (Forfeiture Rule and Law of Succession) Act 2011

Learning outcome

The learner will:

4. Know the different types of grant of representation issued by the Probate Registry

Assessment criteria
<p>The learner can:</p> <p>4.1 describe the types of grant available where a Will is in existence</p> <p>4.2 describe the types of grant where there is an intestacy</p> <p>4.3 identify the situations in which the different types of grant apply</p>
Range
<p>Will is in existence</p> <p>Probate; Letters administration with the Will annexed</p> <p>Intestacy</p> <p>Letters of administration</p> <p>Situations</p> <p>Probate when valid Will and executors prepared to act; Letters of administration where Will is valid but there is no executor to act (e.g. no appointment, death of named executor(s); named executors refuse to act; Letters of administration where there is no Will or the Will does not validly dispose of all of testator's property</p>
Learning outcome
<p>The learner will:</p> <p>5. Understand the provisions of the Inheritance (Provision for Family and Dependents) Act 1975</p>
Assessment criteria
<p>The learner can:</p> <p>5.1 explain the categories of those entitled to claim</p> <p>5.2 identify the jurisdiction of the court</p> <p>5.3 explain the factors which a court will take into consideration when determining "sufficient financial provision"</p> <p>5.4 identify the time limit for making a claim</p>
Range
<p>Categories</p> <p>The wife or husband or civil partner of the deceased; former wife or husband or civil partner but only if not remarried/entered into a new civil partnership; a child of the deceased; anyone who was treated as a child of the family; any other person who was being maintained immediately before the death partly or wholly by the deceased; someone who, though not married has cohabited with the deceased as husband or wife for at least two years immediately prior to the death</p> <p>Jurisdiction of the court</p> <p>If under £30,000 application to County Court; if higher application to either Chancery Division or Family Division of High Court</p> <p>Factors</p>

The size of the estate; the needs of the applicant; the needs of those who do benefit under a will or intestacy; the reasons why the deceased failed to leave money to the applicant; the way in which the applicant has behaved towards the deceased during his or her life

Time limit

Within six months of the grant of probate or letters of administration

Guidance

Resources

For this unit the likely resources required will be:

Wills Act 1837 (as amended)

Wills (Soldiers and Sailors) Act 1918 Specimen forms of simple Will

Specimen forms of clauses (e.g. general legacy, residuary legacy, attestation clause)

Intestacy rules (Administration of Estates Act 1925 s.47) Rules of priority (Administration of Estates Act 1925 s. 46) Forfeiture Act 1982

Specimen forms of grant of probate/administration with Will annexed/administration

Inheritance (Provisions for Family and Dependents) Act 1975 and scenarios

Unit 210 – Conveyancing

Credit Value:	4
GLH:	23
Assessment Requirements:	This unit will be assessed by assignment
Aim:	The aim of this unit is to enable the learner to distinguish between real and personal property and develop an understanding of the basic procedures for buying and selling land.

Learning outcomes	
The learner will:	
1. Know how to distinguish between real and personal property	
Assessment criteria	
The learner can:	
1.1	describe what constitutes real property
1.2	describe what constitutes personal property
1.3	describe the principles of co-ownership including rights of survivorship
1.4	identify the main differences between freehold land and leasehold land
Range	
Real property	
The surface, the airspace above and the mines and minerals below interests others may have in the land such as easements and licences the concept of fixtures and fittings	
Personal property	
Fittings which do not form part of the land, chattels (e.g. coat, hat, scarf)	
Rights of survivorship:	
Co-ownership of land (in outline only), the significance of a joint tenancy and a tenancy in common	
Freehold – an estate in fee simple, absolute in possession; ability to sell, mortgage, devise the land	
Leasehold – an estate of a term of years, absolute; ability to enforce covenants of repair	
Learning outcome	
The learner will:	
2. Understand the purpose and process of land registration	
Learning outcomes	
The learner can:	
2.1	explain the purpose of land registration including benefits of registration
2.2	describe the role of the HM Land Registry and District Registries including events that trigger registration
2.3	describe the contents of the registers
2.4	describe overriding interests including easements and rights of persons in actual occupation
2.5	describe a restrictive covenant and its effect on uses of the land
Range	

Purpose of land registration

To make the conveyancing process more efficient, no need to prove title, guaranteed title

Events that trigger registration

Sale and purchase of unregistered land

Contents of the registers

The Property Register, the Proprietorship Register and the Charges Register

Overriding interests

Basic types and protection of interests by Notice and Restriction (in outline only)

Effect on uses of the land

A restriction on the way an owner of land can use their land (e.g. not able to build, operate a business, put up a fence)

Learning outcome

The learner will:

3. Understand the concept of the mortgage

Assessment criteria

The learner can:

- 3.1** explain the purpose of a mortgage
- 3.2** describe **sources of a mortgage funding**
- 3.3** describe **criteria** used to decide whether to lend
- 3.4** describe the main features of types of **mortgage and interest rate packages**
- 3.5** describe the **types of mortgage product**
- 3.6** describe the **rights** of the mortgagee and mortgagor

Range**Sources of a mortgage funding**

The sources of finance to purchase a property - bank, building society and other lenders

Criteria

Formulae used to determine size of loan, income of applicant, LTV, credit risk, value of property, age, location of property, age of property, description of property

Mortgage and interest rate packages

Fixed rate, capped, variable rate

Types of mortgage product

Buy-to-let, commercial, endowment, pension linked, repayment and interest-only

Rights

Mortgagee – right to take possession, power of sale

Mortgagor – right to redeem

Learning outcome

The learner will:

4. Know the procedures for transferring land from a seller to a buyer

Assessment criteria

The learner can:

- 4.1 describe the **role of estate agents** in the sale and purchase of property
- 4.2 describe the **procedure for a seller** in selling a property
- 4.3 describe the **procedure for a buyer** in purchasing a property
- 4.4 describe the significance of exchange of contracts and completion

Range

Role of estate agents

Marketing the property, obtaining energy performance certificate, introducing prospective buyers, releasing the keys to the buyer on completion.

Procedure for a seller

The main stages from initial instructions to completion, including redeeming an existing mortgage

Procedure for a buyer

The main stages including initial instructions, pre-contract enquiries and registration

Guidance

Resources

For this unit the likely resources required will be:

Civil Aviation Act 1982 s. 72 The Treasure Act 1996

Law of Property Act 1925 ss 36, 205(1)

Law of Property (Joint Tenants) Act 1964 s1

www.landreg.gov.uk

Land Registration Acts 1925 and 2002

City of London Building Society v Flegg (1998) Re Ellenborough Park Estates (1956)

Tulk v Moxhay (1848)

Websites and printed literature of financial institutions e.g. banks and building societies

Estate agents' particulars

Standard conveyancing forms

Appendix 8 - Witness Testimony Form (Example)

Learner Name	
Centre Name	
Centre Number	
Award Title	

I hereby testify that the above learner has carried out all the requirements of the following assignment within the recommended time allowance stated. I further testify that all work submitted is authentic and the learner's own.

Unit Number	
Assignment Title and Tasks Completed	
Venue	
Date	

Witness Name	
Job Title/Position	
Organisation/ Contact details	

Learner Signature		Date	
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Witness Signature		Date	
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Appendix 9 - Learner Feedback Form (Example)

Assignment Title	
Assignment Number	
Learner Name	
Date	

Assessor/Tutor feedback on outcome of assessment

Target date and action plan for resubmission (if applicable)

Assessor/Tutor feedback on outcome of resubmission

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Learner Signature		Date	
Tutor/Assessor Signature		Date	

Appendix 10 – Learner Action Plan (Example)

Centre Name	
Learner Name	
Course Title	

Task/Assignment	Action Points

Assessor Name		Assessor Name	
Assessor Signature		Assessor Signature	

Date		Date	
------	--	------	--

Award Title	
Candidate Name	
Candidate Number	
Centre Name	
Centre Number	

Unit Number	Assignment Title	Time Taken	Date	Candidate Signature	Assessor Signature

Confirmation of achievement for which certification is requested	
Name of quality assurance co-ordinator	
Signature	
Date	

NB: Where a quality assurance co-ordinator is signing off the achievements and confirming this candidate has completed prior to certification, they should sign and date where indicated.

If the quality assurance co-ordinator has also 'sampled' one or more of the candidate's evidence, the quality assurance co-ordinator should also initial against unit number in red.

Appendix 11 - Summary of Unit Assignment Achievements (Example)