



## Level 6 Professional Higher Diploma in Law and Practice/Single Subject Certificate/Graduate 'Fast-Track' Diploma

### January 2022 Grade Boundaries

The Qualifications Handbook sets out the notional grade boundaries for the Law and Practice units. Notional grade boundaries offer tutors and students the opportunity to understand the approximate level of achievement necessary to pass and achieve certain grades of success in an assessment. Notional grade boundaries, however, are not fixed boundaries, and, as a part of its ongoing quality assurance of the assessment process, CILEx reserves the right to amend its notional grade boundaries for individual examination sessions.

CILEx takes every precaution to ensure that the level and quality of each of its examination papers is appropriate for students. As a part of its commitment to robust quality assurance at every stage of the examination, CILEx also scrutinises candidate performance before final results are determined. In this way, CILEx can identify and address any issues with the performance of specific examination papers and specific questions on examination papers, and where there are issues that are known to have affected candidate performance adversely, reflect this in the way in which the final grade boundaries for the examination results are set.

The final grade boundaries for the January 2022 examinations are set out in the table below:

Unit No.	Unit Name	Pass boundary	Merit Boundary	Distinction Boundary
1	Co & Partnership Law	50%	65%	75%
2	Contract Law	50%	65%	75%
3	Criminal Law	50%	65%	75%
4	Employment Law	50%	65%	75%
5	Equity & Trusts	50%	65%	75%
6	European Union Law	50%	65%	75%
7	Family Law	50%	65%	75%
8	Immigration Law	50%	65%	75%
9	Land Law	50%	65%	75%
10	Landlord & Tenant Law	50%	65%	75%
12	Public Law	50%	65%	75%
13	Law of Tort	46%	61%	71%
14	Wills & Succession	50%	65%	75%
15	Civil Litigation	50%	65%	75%
16	Co & Partnership Practice	50%	65%	75%
17	Conveyancing	50%	65%	75%
18	Criminal Litigation	50%	65%	75%
19	Employment Practice	50%	65%	75%
20	Family Practice	50%	65%	75%
21	Probate Practice	50%	65%	75%

## **Frequently asked questions about adjustments to grade boundaries made at results determination**

### Q) Why has the Results Determination Panel taken this decision?

This decision ensures that this specific question paper is no more difficult or easy to pass than previous, similar question papers. The purpose of the Results Determination Panel is to ensure that a certain level of difficulty is maintained across question papers over time. This is the best way to also ensure the fairest possible outcomes for all students.

### Q) Why can't difficult/ambiguous/easier questions be spotted before candidates sit the examination?

CILEx goes to great lengths to quality assure every question paper it produces. Whilst questions are tested by the assessor teams (comprising groups of academics and practitioners) setting and reviewing the question paper, this is not the same as when the question papers are answered by hundreds of students in exam conditions. At this point, questions may be read and interpreted by students differently to what was intended. Equally, some questions may be found to be more difficult than first anticipated. The purpose of results determination is to identify where this has happened and, where appropriate, to make adjustments to ensure that candidates receive a fair result.

### Q) How does the Results Determination Panel reach its decisions?

The Panel considers significant amounts of evidence about the overall performance of the examination before it makes any decision to adjust a grade boundary. Chief Examiners' reports, student queries/feedback, centre feedback, examiner marking performance and past historical performance of the question paper are all considered. The Panel also considers statistical information, including section/question performance both current and historical. The decision is, ultimately, an agreement between the Chief Examiner for the unit, the Chairs of Examiners, the Director of Education and senior Assessment Team staff.

### Q) How can it be fair that someone can pass in this session with a lower percentage than I achieved at the last session where I failed?

OR

### Q) How can it be fair that I achieved 50% and then failed?

Whilst CILEx sympathises with both these questions, it is important to recognise that the standard of a Pass (expressed as a numerical percentage) is where the Panel consider it best placed to reflect the continuity of the Pass standard at any one time. Therefore, it cannot, for the reasons provided above, be represented as a single, stable percentage over time. In some sessions, therefore, it will remain at 50%, but, in others, to reflect the ease or difficulty of specific question papers, it must move to enable CILEx to arrive at a fair decision. It is important, therefore, that you consider your percentage result only in relation to the examination you have sat and no other.

### Q) Why can't 50% always be a Pass?

Because, question papers are subtly different from session to session, depending on how the syllabus has been tested, the choice of questions etc. To simply hold to a Pass percentage of 50% would mean that candidates taking slightly more easy or difficult papers would be treated unfairly. For example, a Pass standard candidate taking a slightly more difficult paper in any one session might then achieve, say, 48% and fail. Adjusting grade boundaries, whilst sometimes appearing unfair, has the advantage that we can respond to these situations and ensure candidates get the result they deserve and CILEx standards are maintained over time.

## **Examination: Unit 13 Law of Tort**

The Results Determination Panel made an adjustment to all boundaries for this examination to address a perceived increase in the level of difficulty presented by the examination.