

# CILEx PROFESSIONAL SKILLS ASSESSMENT REGULATIONS



**The CILEx Professional Skills Assessment Regulations apply to learners undertaking Professional Skills assessments for the Level 3 and Level 6 Professional Qualifications and the Level 3 and Level 4 Legal Services Knowledge Qualifications:**

## General Information

Learners are required to complete a number of tasks as part of their studies towards the Professional Skills units (Level 3 units 16 Client Care Skills & 17 Legal Research Skills and Level 6 units 22 Client Care Skills and 23 Legal Research Skills). These tasks are undertaken over a period of time with the learner's accredited centre (college). The learner's accredited centre determines the time and the way in which these units are delivered to the learners. The tasks are then assessed by the learner's accredited centre, and all the work for each learner, which must be of a Pass standard, is forwarded to CILEx for quality assurance checks by a CILEx-appointed moderator.

There are submission windows for learner work each year in January and June. Centres are only permitted to submit learner work for quality assurance checks at these points and at no other point during the year.

## Protecting the integrity of the Professional Skills assessments

CILEx has a responsibility to protect the integrity of the Professional Skills assessments and to take appropriate measures to be certain that each learner's work is their own.

All Professional Skills learners are required to comply with the regulations set out below. Learners must sign the Candidate Submission Checklist to confirm compliance with the Professional Skills Assessment Regulations.

## Regulations

1. Learners must be registered to have their Professional Skills assessment/s submitted at a particular submission window. CILEx will **not** accept Professional Skills assessments for learners who have not been registered to have their Professional Skills assessment/s submitted to CILEx for the submission window.
2. Learners must behave professionally and honestly when producing work toward the Professional Skills assessments and must ensure that their conduct in producing responses for the assessments does not undermine the integrity of CILEx qualifications. Learners whose actions may be considered to undermine the integrity of CILEx qualifications will be investigated by CILEx in accordance with the CILEx Malpractice Policy and Procedures – CILEx Learners. A breach of the regulations may also be a breach of the CILEx Code of Conduct which may also be investigated. The following acts as guidance as to actions which may be construed as undermining the integrity of CILEx qualifications:
  - (i) Failing to produce individual and original work for each of the Professional Skills assessment tasks;
  - (ii) Failing to keep a learner's own work for assessments for the Professional Skills units secure;
  - (iii) Sharing with other learners the preliminary notes, drafts or final versions of their Professional Skills assessments. (This includes but is not limited to providing a fellow learner with a copy of preliminary notes, drafts or final versions of assessment/s on a memory stick, via email or in hard copy, or similar actions which could compromise the security of a learner's work.)

- (iv) Working together with another learner/s when producing preliminary notes, drafts and final versions of assessment/s for the Professional Skills units.
- (v) Copying the preliminary notes, drafts or final versions of assessment/s of another learner in producing responses to Professional Skills assessments;
- (vi) Failing to ensure that sources of information are clearly identified and referenced. Plagiarism, which is defined as 'passing off someone else's work as your own either intentionally or unintentionally', is a serious offence;
- (vii) Altering or interfering with CILEx assessment documentation, for example, result notifications or certificates;
- (viii) Attempting to record or recording the CILEx Professional Skills DVD or audio CD and/or distributing an unauthorised recording to others.

3. Special consideration is **not** permitted for Professional Skills assessments. Learners who are unwell or adversely affected by circumstances at the time of producing a response to a task should arrange with their centre to undertake the task on another occasion.
4. Learner assessments for the Professional Skills units must be word processed.

### Guidance

5. Learners must keep a copy of their Professional Skills assessment/s because CILEx will **not** return assessments which are submitted to CILEx.
6. Learners should pay attention to the presentation of their responses to the tasks. Full sentences should be used with appropriate grammar and spelling.
7. Learners should include their name on each page of the assessment.
8. Learner work for the Professional Skills assessments should be presented in the simplest format using a treasury tag to attach all the documentation securely.
9. Lever arch folders and plastic/card wallets or folders must **not** be used to present learner work.

### Penalties for learner malpractice

CILEx may impose penalties on a learner in the event that malpractice is proven. The Qualifications Malpractice Committee determines the penalties to be imposed. The criteria below inform the level of penalty imposed on a learner who has been found to have breached the Professional Skills Assessment Regulations. The criteria are **not exhaustive** but provide a benchmark against which individual cases are considered.

In order to ensure the integrity of CILEx qualifications it is important that CILEx takes action in cases where the integrity of an assessment or qualification has been compromised. CILEx will, where possible, take action to protect CILEx learners caught up in malpractice incidents through no fault of their own. However, in some cases in order to protect the integrity of the CILEx qualifications it may be necessary for CILEx to withhold and/or revoke the results/certificates of CILEx learners or not accept work from CILEx learners, who were not themselves culpable for the malpractice which took place, where there is evidence that the assessment has been compromised and that results and/or certificates may be invalid.

Penalty	Criteria
Written warning	<p><b>Minor breach of the regulations which does not affect the integrity of the assessment, for example:</b></p> <ul style="list-style-type: none"> <li>▪ Plagiarism – a limited amount of material from a published source not referenced in a Professional Skills assessment but which does not call into question the learner's achievement of the assessment requirements.</li> <li>▪ Failing to keep a learner's own work for assessments for the Professional Skills units secure which has not had an adverse impact on the integrity of the assessment.</li> </ul>
One assessment task for a Professional Skills assessment declared void	<p><b>Significant breach of the Professional Skills Assessment Regulations which affects the integrity of the assessment for one task only, for example:</b></p>

	<ul style="list-style-type: none"> <li>▪ Drafts or final versions for one Professional Skills task shared with another learner.</li> <li>▪ Copying another learner’s work for one Professional Skills task only</li> <li>▪ Working together with another learner (or other learners) to produce the response for one Professional Skills task only.</li> <li>▪ Learner work for one Professional Skills task only is not individual and original.</li> <li>▪ Plagiarism – a substantial amount of material from a published work (including the internet) not referenced for one task only.</li> <li>▪ Where the malpractice proven in relation to one Professional Skills assessment task is considered to have a significant impact on the integrity of the whole assessment, CILEx reserves the right to void the complete assessment and not just one task.</li> </ul>
Assessment result declared void	<p><b>Significant breach of the regulations which affects the integrity of the Professional Skills assessment, for example:</b></p> <ul style="list-style-type: none"> <li>▪ Drafts or final versions for more than one Professional Skills task shared with another learner.</li> <li>▪ Copying another learner’s work for more than one Professional Skills task.</li> <li>▪ Working together with another learner (or other learners) to produce the response for more than one Professional Skills task.</li> <li>▪ Learner work for more than one Professional Skills task is not individual and original.</li> <li>▪ Plagiarism – a substantial amount of material from a published work (including the internet) not referenced for more than one Professional Skills task.</li> <li>▪ Failing to keep a learner’s own work for assessments for the Professional Skills units secure which has jeopardised the integrity of the assessment.</li> <li>▪ Altering or interfering with CILEx learner assessment documentation for example, results notifications or certificates.</li> <li>▪ Attempting to record or recording the CILEx Professional Skills DVD or audio CD and/or distributing an unauthorised recording to others.</li> </ul>

The CILEx Malpractice Policy and Procedures – CILEx Learners is available on the CILEx website.

### CILEx Regulation Ltd

The Qualifications Malpractice Committee may refer proven cases of malpractice to CILEx Regulation for further investigation where it believes the malpractice could amount to a breach of the CILEx code of conduct. CILEx Regulation may:

- decide there is no case to answer and reject the complaint
- decide there is a case to answer and either:
  - (i) refer the case to Disciplinary Tribunal or
  - (ii) if you admit the misconduct, and it is appropriate to do so in the circumstances, with your consent the matter can be concluded by deciding:
    - to impose conditions in relation to your future conduct or if you are an individual, on your employment.
    - to require you to give undertakings in relation to your future conduct.
    - to reprimand and/or warn you.
- If the matter is referred to the Disciplinary Tribunal it, additionally, can impose a fine on a member or exclude them from membership of CILEx.

## **Professional Skills Assessment Results**

Learners should refer to the Qualifications Handbooks or the CILEx website ([www.cilex.org.uk](http://www.cilex.org.uk)) for the Professional Skills results release date.

- Professional Skills assessment results will only be available online through MyCILEx ([www.cilex.org.uk](http://www.cilex.org.uk)) or by postal notification. Results are not issued over the telephone.
- Professional Skills assessment results are released to the accredited centre at which the learner studied.

## **Enquiries About Results and Appeals**

Information regarding the enquires about results and appeals process is available on the CILEx website (<http://www.cilex.org.uk/>).