

Consultation on Guided Learning Hours

**A response by
The Chartered Institute of Legal Executives**

16 October 2014

For further details

Should you require any
further information,
please contact;

Vicky Purtil
Head of Qualifications
vpurtil@cilex.org.uk
01234 845761

October 2014

Introduction

1. The Chartered Institute of Legal Executives (CILEx) is the professional association and governing body for Chartered Legal Executive lawyers, other legal practitioners and paralegals. CILEx represents around 22,000 members, which includes approximately 7,500 fully qualified Chartered Legal Executive lawyers. CILEx is also a nationally recognised Awarding Organisation, regulated by the Office of the Qualifications and Examination Regulator (Ofqual) and the Welsh Assembly Government.

General Comments

CILEx generally welcomes this clarification of the definitions surrounding Guided Learning Hours and the introduction of definitions to ensure consistency between qualifications in defining Total Qualification Time.

There are some areas which could be clarified, including:

- the definitions of Guided Learning, Directed Study and Dedicated Assessment
- consideration as to how the changes will be received by other relevant stakeholders such as the Welsh Government and the SFA
- provision of clear guidance in plain English on each of the definitions which make up Total Qualification Time
- How the changes to Guided Learning and Credit Values will be uploaded to RITS – for example, will Ofqual enable specific changes to be made without affecting the recognition of the qualification as a whole and will Ofqual provide portals through which information can be uploaded to mitigate the administrative burden of uploading this data to RITS?

In addition, it should be noted that the changes to these calculations are likely to have an impact on Awarding Organisations in terms of resources to effect the changes, resources required for the communication of the changes to relevant stakeholders and the impact of, for example, other qualifications regulators not adopting these changes.

Questions

Question 1: Are there any activities where you would be in doubt as to whether they should be included in 'Guided Learning'?

CILEx understands the definition of Guided Learning Hours to consist of teaching time and some work place learning. To be clearer it may be better to provide clear guidance which sets the boundaries of this definition.

Question 2: "The proposed definition of 'Directed Study' is clear and appropriate."

What is your view of this statement?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please give reasons for your answer.

Our understanding of this definition is all elements of study required by a tutor which do not take place under direct supervision. Therefore this will include reading, research etc. required of learners by a tutor but undertaken in their own time. If this is the meaning, then the meaning is clear. However, it could also possibly include preparation of work based assessment and clear guidance as to the precise definition would be required for clarity.

The meaning of 'direct' could be defined to ensure that there is clarity within the definition.

Are there any activities where you would be in doubt as to whether they should be included in 'Directed Study'?

It is unclear from the definitions of this and Guided Learning Hours, where work based learning/assessment sits. This could be made clearer through the introduction of a 4th definition or clear guidance as to the boundaries of each of these definitions. This is particularly important as GLH and DSH together form the credit calculation for the qualification.

It is also important to clarify how the calculations relate to synoptically assessed learning – as this could fall within the definition of directed study or dedicated assessment.

Do you have any other comments or suggestions about this definition?

Where there are a number of possible pathways, the Ofqual guidance states that the minimum hours should be applied to the definitions. This will mean that credit values are calculated for the shortest route to qualification and therefore qualifications with some pathways which are longer than others will, in future, only be able to record the minimum hours and therefore the smallest credit value. This may impact on learner choice as funding is awarded on the basis of credit value and this in turn may mean that pathways which take longer to complete are no longer chosen, as funding will not be available for the additional necessary hours required.

Question 3: “The proposed definition of ‘Dedicated Assessment’ is clear and appropriate.”

What is your view of this statement?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please give reasons for your answer.

This definition clearly covers assessment for which the tutor does not provide any input during the assessment. Although as stated above there may be an issue in relation to where work-based synoptic assessment fits within this and the preceding definition.

Are there any activities where you would be in doubt as to whether they should be included in 'Dedicated Assessment'?

See above.

Do you have any other comments or suggestions about this definition?

No

Question 4: Do you have any other comments on the three components of Total Qualification Time? For example, are there other parts of learning time or activities that you expect the definitions to cover that they do not? If so, what are they?

There may be an issue in calculating these values where modes of delivery are different. For example, tutor time is likely to be significantly reduced where the learner is studying via distance learning in comparison with those studying face to face in a centre.

Ofqual has provided guidance at its events, which states that credit value will be made up of GLH and DSH, it is important to know that this definition of credit has been accepted by stakeholders which rely on the credit definition, such as the SFA. Clarity on this issue would be welcomed.

Question 5: Do you have any comments about our proposed General Conditions?

The proposed General Conditions (GC) in relation to these definitions should be accompanied by clear guidance written in plain English to ensure any uncertainty is mitigated in relation to the definitions of each of these elements.

It is important for Ofqual to provide the Awarding Organisations with clear timelines for implementation of the new GCs and that these timelines provide sufficient time

for implementation, taking into account the impact on resources of undertaking these changes.

Question 6: What Guidance would be most helpful to you in relation to the proposed General Condition E7? Why is this? You may wish to consider what might be positive and negative indicators of compliance with the proposed General Condition.

We would like to see positive and negative indicators in the guidance which assist Awarding Organisations in ensuring that they are compliant with the new requirements.

Question 7: Is there anything else we should reasonably expect an awarding organisation to consider when determining a qualification's relevance for the Raising the Participation Age policy (relevance 'for 2008 Act purposes')?

No.

Question 8: "The Criteria document will help awarding organisations in making the required determination of a qualification's relevance for 2008 Act purposes."

What is your view of this statement?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Question 9: Are there other methods we should reasonably expect an awarding organisation to consider when calculating values for a qualification's Guided Learning, Directed Study and Dedicated Assessment?

See comments above

Question 10: “The Criteria document will help awarding organisations in calculating values for a qualification’s Guided Learning, Directed Study and Dedicated Assessment.”

What is your view of this statement?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please give reasons for your answer.

There is some confusion over where work based learning/assessments would fit within the current definition and clarification on this would be helpful. See comments above in relation to the definitions of GLH, DSH and DAH.

Question 11: What are your views on the proposed wording of the draft new Criteria?

No view expressed.

Question 12: “Our proposals will have no impact on Credit values, unless the awarding organisation establishes that its previous estimate of the size of a qualification needs to be changed.”

What is your view of this statement?

- Strongly agree
- Agree
- Neither agree nor disagree

() Disagree

() Strongly disagree

Please give reasons for your answer.

The guidance makes it clear to all AOs which elements make up credit values (GLH and DSH) – although as stated above the definitions are not completely clear as to where some forms of assessment and learning fit within the definitions. This may also have an impact on some organisations which offer a variety of assessment methodologies/pathways to qualification where the minimum GLH must be stated. As this relates to the definition of Credit (currently the method for defining funding), this may impact on choices made by providers on pathways to be offered.

Do you have any other comments?

Ofqual should ensure that the Welsh Government, the SFA and other relevant stakeholders are kept informed of the changes through discussion, to ensure that for example, funding decisions continue to be made appropriately.

Question 13: What would be a reasonable length of time after the introduction of a new approach for an awarding organisation to evaluate hours of Guided Learning, Directed Study and Dedicated Assessment for its qualifications? Why is that?

The new definitions require evidence to support GLH/TQT calculations and in order to provide Awarding Organisations time to review their offer and gather the appropriate supporting evidence, a time period of 18 months to 2 years is considered more appropriate. This will enable AOs to check their calculations with centres delivering the qualifications and make the appropriate changes to RITS.

Ofqual have also raised the possibility of phasing in the changes – however if this is done by definition, there will either have to be a dual operation of old and new values on the system to enable credit values to be displayed or the first 2 definitions would have to be implemented at the same time.

Question 14: Are there any specific positive or negative impacts on people who share particular protected characteristics¹ that we should consider in relation to these proposals?

None identified

Question 15: What positive or negative regulatory impacts should we consider in relation to these proposals?

None identified.

Submitted by:

Vicky Purtil

Head of Qualifications and Responsible Officer at the Chartered Institute of Legal Executives (CILEx)

CILEx

Kempston Manor

Kempston

Bedford

MK42 7AB

vpurtil@cilex.org.uk

01234 845761

This response is not confidential. The response is an official response on behalf of the Chartered Institute of Legal Executives (CILEx) an Awarding Organisation, based in England and regulated by Ofqual. CILEx can be contacted to discuss this response.
