

ILEX Level 3 Paralegal Awards (7462-05)

September 2011 Version 1.0



Qualification at a glance

Subject area	Legal Studies
City & Guilds number	7462
Age group approved	16+
Assessment	Assignment
Support materials	Centre handbook Assessment pack
Registration and certification	Consult the Walled Garden/Online Catalogue for last dates

Title and level	City & Guilds number	Accreditation number
Level 3 Award in Consumer Protection	7462-05	600/2982/1
Level 3 Award in Principles of Social Housing Law	7462-05	600/2984/5
Level 3 Award in Debt Recovery Practice in the Civil Courts	7462-05	600/2983/3
Level 3 Award in Principles of Equality and Diversity	7462-05	600/2989/4
Level 3 Award in the European Legal Environment	7462-05	600/2990/0



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1 Introduction

This document tells you what you need to do to deliver the qualifications:

Area	Description
Who are the qualifications for?	Candidates who are working or intending to work in a paralegal capacity who need an understanding of a specific area of the law. The awards are suitable for a range of levels, from new starters to experienced learners who want to progress in their career
What do the qualifications cover?	The awards offer an awareness of some of the areas of law that candidates may encounter in their everyday lives. Learners will achieve an in depth understanding of specific areas of the legal system such as consumer rights or diversity issues. These qualifications are created to be flexible and simple to deliver as short courses, additional learning or as CPD.
Who did we develop the qualification with?	These qualifications have been developed in association with the Institute of Legal Executives (ILEX). ILEX is a professional body which represents over 22,000 members and is a leading provider of legal education.
What opportunities for progression are there?	The Awards can lead to jobs in local authorities, the court service as well as the private sector. Candidates studying these awards may be interested in progressing onto Legal Secretaries and Legal Studies full qualifications.

Structure

To achieve the individual Level 3 Awards candidates must achieve the appropriate credits from the single mandatory unit contained within.

Level 3 Award in Consumer Protection

Unit accreditation number	City & Guilds unit	Unit title	Unit type	Credit value
A/503/4750	301	Consumer protection	Mandatory	7

Level 3 Award in Principles of Social Housing Law

Unit accreditation number	City & Guilds unit	Unit title	Unit type	Credit value
F/503/4751	302	Principles of social housing law	Mandatory	7

Level 3 Award in Debt Recovery Practice in the Civil Courts

Unit accreditation number	City & Guilds unit	Unit title	Unit type	Credit value
J/503/4752	303	Debt recovery practice in the civil courts	Mandatory	7

Level 3 Award in Principles of Equality and Diversity

Unit accreditation number	City & Guilds unit	Unit title	Unit type	Credit value
L/503/4753	304	Principles of equality and diversity	Mandatory	8

Level 3 Award in the European Legal Environment

Unit accreditation number	City & Guilds unit	Unit title	Unit type	Credit value
D/503/4756	305	The European legal environment	Mandatory	7



2 Centre requirements

Approval

If your Centre is approved to offer any of the following qualifications:

- Vocational Paralegal Studies (7461)
- Legal Studies (7462)
- Legal Secretaries (7465)

you can apply for the new Level 3 ILEX Single unit awards approval using the **fast track approval form**, available from the City & Guilds website.

Centres should use the fast track form if:

- there have been no changes to the way the qualifications are delivered, and
- they meet all of the approval criteria in the fast track form guidance notes.

Fast track approval is available for 12 months from the launch of the qualification. After 12 months, the Centre will have to go through the standard Qualification Approval Process. The centre is responsible for checking that fast track approval is still current at the time of application.

To offer these qualifications, new centres will need to gain both centre and qualification approval. Please refer to the *Centre Manual - Supporting Customer Excellence* 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:

- be occupationally competent or technically knowledgeable in the area for which they are delivering training and/or have experience of providing training. This knowledge must be to the same level as the training being delivered
- have recent relevant experience in the specific area they will be assessing
- have credible experience of providing training.

Centre staff may undertake more than one role, eg tutor and assessor or internal verifier, but cannot internally verify their own assessments.

Assessors and internal verifiers

Assessor/Verifier (A/V) units are valued as qualifications for centre staff, but they are not currently a requirement for the qualifications.

Candidate entry requirements

City & Guilds does not set entry requirements for these qualifications. However, centres must ensure that candidates have the potential and opportunity to gain the qualifications successfully.

Age restrictions

City & Guilds cannot accept any registrations for candidates under 16 as these qualifications are not approved for under 16s.



3 Delivering the qualification

Initial assessment and induction

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

- if the candidate 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 so the candidate fully understands the requirements of the qualifications, their responsibilities as a candidate, 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
Fast track approval form	www.cityandguilds.com
Assignment guide	www.cityandguilds.com



4 Assessment

Candidates must:

- successfully complete one assignment for each mandatory unit

Level 3 Award in Consumer Protection

Unit	Unit title	Assessment method	Where to obtain assessment materials
301	Consumer protection	Assignment	www.cityandguilds.com

Level 3 Award in Principles of Social Housing Law

Unit	Unit title	Assessment method	Where to obtain assessment materials
302	Principles of social housing law	Assignment	www.cityandguilds.com

Level 3 Award in Debt Recovery Practice in the Civil Courts

Unit	Unit title	Assessment method	Where to obtain assessment materials
303	Debt recovery practice in the civil courts	Assignment	www.cityandguilds.com

Level 3 Award in Principles of Equality and Diversity

Unit	Unit title	Assessment method	Where to obtain assessment materials
304	Principles of equality and diversity	Assignment	www.cityandguilds.com

Level 3 Award in the European Legal Environment

Unit	Unit title	Assessment method	Where to obtain assessment materials
305	The European legal environment	Assignment	www.cityandguilds.com

Time constraints

The following must be applied to the assessment of this qualification:

- Assignments must be completed within candidate's period of registration. See individual assignments for further guidance on timescales.

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 not allowed for these qualifications.



5 Units

Availability of units

Below is a list of the learning outcomes for all the units.

Structure of units

These units each have the following:

- City & Guilds reference number
- unit accreditation number (UAN)
- title
- level
- credit value
- unit aim
- endorsement by a sector or other appropriate body
- learning outcomes which are comprised of a number of assessment criteria

UAN:	A/503/4750
Level:	3
Credit value:	7
GLH:	38
Relationship to NOS:	This knowledge based unit supports the following National Occupation Standards for Legal Advice: <ul style="list-style-type: none"> • LAs 47 and 48 • LAs 36, 41 and 42
Endorsement by a sector or regulatory body:	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Qualifications.
Aim:	The unit aims to help the learner understand the extent of the legal rights and responsibilities that exist between the supplier of goods and services and the consumer and how a consumer may enforce those rights.

Learning outcome
The learner will: <ol style="list-style-type: none"> 1. understand the relationship between the supplier and the consumer and the supplier and the state
Assessment criteria
The learner can: <ol style="list-style-type: none"> 1.1 explain the essential contractual principles that apply to the supplier/consumer relationship 1.2 compare the different types of contractual term 1.3 evaluate the factors that negate the effect of a contract

Range
Essential contractual principles For a contract to exist there must be a firm offer capable of being accepted; contrast an offer from an invitation to treat; the rules of acceptance; the rules of consideration, intention to be legally bound. The different forms a contract can be concluded: word of mouth, in writing, by conduct, on line, telephone, text. Definition of consumer
Types of contractual term Conditions and warranties; express and implied terms, exclusions; the effect of a breach of the different term (damages only or rescission and/or damages)

Factors

Common law methods – misrepresentation (innocent, negligent), mistake (common, unilateral), undue influence
Statutory methods – oppression, unfair trading practices

Learning outcome

The learner will:

2. understand the legal principles which protect the consumer where goods or services are supplied

Assessment criteria

The learner can:

- 2.1 explain the **Statutory measures** to protect the consumer where **goods** have been sold or supplied
- 2.2 explain the **Statutory measures** to protect the consumer where **services** have been supplied
- 2.3 evaluate the Consumer Safety Act 1978 in relation to product safety

Range**Statutory measures – goods**

The Sale of Goods Act 1979; the Sale and Supply of Goods Act 1994; the Consumer Protection Act 1987; the Sale and Supply of Goods to Consumer Regulations 2002; Food Safety Act 1990

Statutory measures – services

The Supply of Goods and Services Act 1982

Learning outcome

The learner will:

3. understand the legal principles that apply to various types of trading practices

Assessment criteria

The learner can:

- 3.1 explain the **statutory measures** to protect the consumer from concluding **contracts at home**
- 3.2 evaluate the **statutory measures** to protect the consumer when concluding contracts **on line or on the telephone**
- 3.3 interpret the **statutory measures** that attempt to control the advertising of **goods and services**
- 3.4 evaluate the **statutory measures** that attempt to **control misleading pricing**

Range**Statutory measures – contracts at home**

The Consumer Protection (Cancellation of Contracts Concluded away from Business Premises) Regulations and amendment regulations 1990 and the Consumer Protection from Unfair Trading Regulations 2008

<p>Statutory measures – online or on the telephone The Consumer Protection (Distance Selling) Regulations 2000; The Consumer Protection (Distance Selling) (Amendment) Regulations 2005</p> <p>Statutory measures – goods and services Enterprise Act 2002, the Consumer Protection Act 1987, the Consumer Protection from Unfair Trading Regulations 2008; Consumers, Estate Agents and Redress Act 2007; the Advertising Standards Agency.</p> <p>Statutory measures – control misleading pricing The Control of Misleading Advertisements Regulations 1988; the Consumer Protection (Code of Practice for Traders on Price Indications) Approval Order 1988; the Consumer Protection (Code of Practice for Traders on Price Indications) Approval Order 2005; OFT v The Officers Club 2005</p>
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<p>Learning outcome</p> <p>The learner will:</p> <p>4. understand how the law controls the use of exclusion and limitation clauses in contracts</p>
<p>Assessment criteria</p> <p>The learner can:</p> <p>4.1 describe the Common law controls of exclusion and limitation clauses using case law</p> <p>4.2 describe the Statutory controls of exclusion and limitation clauses</p>

<p>Range</p> <p>Common law controls Incorporation, clear and unambiguous, must match the liability intending to exclude, contra proferentum rule; the ‘red hand’ principle. Case law – Curtis v Chemical Cleaning and Dyeing Company (1951), Spriggs v Sotheby’s (1986), Olley v Marlborough Court Hotel (1949), Chappleton v Barry UDC (1940), George Mitchell v Finney Lock Seeds (1983)</p> <p>Statutory controls Unfair Contract Terms Act 1977, the Unfair Terms in Consumer Contracts Regulations 1994 and 1999</p>
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<p>Learning outcome</p> <p>The learner will:</p> <p>5. understand remedies for breaches of consumer law and the sanctions</p>
<p>Assessment criteria</p> <p>The learner can:</p> <p>5.1 explain how a consumer can resolve issues without court action</p> <p>5.2 explain the remedies available through the county court</p> <p>5.3 explain the sanctions in civil and criminal law that control traders</p>

Range**How a consumer can resolve issues without court action**

Role of Trade Associations; Consumer Agencies – OFT, Consumer Direct; Trading Standards Departments of local Authorities.

Remedies

Damages and the return of goods/money; costs.

Sanctions

Criminal sanctions – financial penalties, imprisonment.

Civil sanctions – withdrawal of licence registration, stop orders, adverse publicity

Unit 301 Consumer protection

Supporting information

Guidance

- 2.3 Candidates should be able to identify at least one relevant case law
- 5.1 Candidates should be able to identify written contracts (eg mobile phone contracts) and unwritten contracts (eg in notices in car parks)

Unit 302

Principles of social housing law

UAN:	F/503/4751
Level:	3
Credit value:	7
GLH:	38
Endorsement by a sector or regulatory body:	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Qualifications.
Aim:	To provide learners with the skills and knowledge to comprehend the concepts of UK home tenure and the function and operation of local authority housing departments and housing associations, in association with relative partnerships, to provide rented housing accommodation within the UK including their roles and obligations in relation to homelessness.

Learning outcome
The learner will: 1. understand forms of UK home ownership and occupation
Assessment criteria
The learner can: 1.1 explain the forms of UK home ownership and occupation 1.2 compare forms of ownership 1.3 compare different rights over property by organisations and individuals

Range
Forms of UK home ownership and occupation Freehold, leasehold, whole occupation, part occupation, multi-occupation, temporary occupation, homeless, tenanted, licensed
Organisations and individuals Rights of owners, others with an interest in the property, wider society

Learning outcome
The learner will: 2. understand the role of local authorities and housing associations
Assessment criteria
The learner can: 2.1 explain the statutory responsibilities of local authority housing departments 2.2 explain the role of housing associations in providing accommodation 2.3 explain the differences of function and operation of local authority housing departments and housing associations 2.4 explain the housing benefit qualification criteria 2.5 describe the housing benefit application process

Range
Role of housing associations Multi agency referrals, direct applications, client profiling
Differences Level of accountability, funding, structure, governance arrangements, statutory responsibilities, contractual responsibilities

Learning outcome
The learner will: 3. understand the nature and purpose of Arms Length Management Organisation (ALMO) in relation to local authority housing
Assessment criteria
The learner can: 3.1 explain the concept of ALMO and its responsibilities to local authority housing management 3.2 explain the purpose of ALMO in terms of its relationship with Communities and Local Government (CLG) requirements 3.3 evaluate the effectiveness of ALMO operations using relevant sources

Range
Relevant sources National Federation of ALMOs data, local authority data, press reports

Learning outcome
The learner will: 4. understand the concept of homelessness and the roles and obligations of local authorities in relation to homelessness
Assessment criteria
The learner can: 4.1 define homelessness 4.2 compare intentional and unintentional homelessness 4.3 identify the roles and obligations of a local authority housing department in assessing homelessness applications

Range
Intentional and unintentional homelessness Housing Act 1996, Homelessness Act 2002, Code of Guidance

Unit 303

Debt recovery practice in the civil courts

UAN:	J/503/4752
Level:	3
Credit value:	7
GLH:	38
Endorsement by a sector or regulatory body:	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Qualifications.
Aim:	The aim of the unit is to enable the candidate to develop the skills required to take a debt recovery action from its inception to its conclusion, including judgment and enforcement of that judgment, and to understand and implement the Civil Procedure Rules that govern this civil litigation process.

Learning outcome
The learner will: 1. understand the civil courts used in debt actions in England and Wales
Assessment criteria
The learner can: 1.1 describe the structure and jurisdiction of the civil courts 1.2 Explain the structure and purpose of the Civil Procedure Rules (CPR) 1.3 describe the civil court 'track system'

Range
Structure and jurisdiction Hierarchical structure Jurisdiction – financial limits, track system, appeals, composition
Structure and purpose Structure – set out in rules, parts, strict timetables Purpose – framework for guidance for the parties, overriding objective of procedure (Rules 1.1, 1.2); case management (rule 1.4); pre-action protocol, ensuring appropriate use of court resources
The 'track system' Small Claims; Multi-Track and Fast Track

Learning outcome
The learner will: 2. understand pre-action matters for debt recovery
Assessment criteria
The learner can: 2.1 explain the steps required to be taken before issue of proceedings for debt recovery 2.2 describe the position in relation to funding an action 2.3 explain the importance of ascertaining the financial status of a debtor 2.4 differentiate between relevant evidence and other information given to gauge the strength of the client's case 2.5 explain the essential components of a letter before action

Range
Steps required Negotiation, letter before action, relevant Alternative Dispute Resolution and pre-action protocol
Funding Funding of claim, costs of claim
Importance Whether debtor can pay, informs method of enforcement
Relevant evidence Amount of debt, date of debt, evidence of debt, details of parties, statute of limitations (Limitations Act)
Essential components Amount of debt, date of debt, details of parties, interest and costs if not paid, debt to repaid in specified time, consequences of non payment

Learning outcome
The learner will: 3. understand the process required for commencement and allocation of a debt recovery action
Assessment criteria
The learner can: 3.1 describe the documents used in debt recovery proceedings under part 7 CPR 3.2 describe the procedure for issuing debt recovery proceedings 3.3 explain the factors affecting service of documentation 3.4 explain the uses of a debt recovery response pack 3.5 describe the process of allocation and explain the principles which guide the court

Range
<p>Documents used to commence proceedings N1 Claim Form, Response Pack (Form N9a; N9b; N9c)</p> <p>Procedure Copies, fees, court</p> <p>Factors affecting service Methods, timescales, presumptions, non-service</p> <p>Uses of a debt recovery response pack Admission, partial admission, defence, counterclaim, set off</p> <p>Principles Financial limits, complexity, time required for trial, public interest</p>

Learning outcome
The learner will: 4. understand how a claim can terminate without trial
Assessment criteria
The learner can: 4.1 distinguish the different types of Judgment that can be obtained 4.2 explain who may apply for Summary Judgment under CPR Part 24 and in what circumstances 4.3 identify what orders the court can make under CPR part 24 4.4 describe what is meant by Striking Out and in what circumstances this can happen

Range
<p>Different types of Judgment Judgment by admission - CPR Part 14 Judgment by default –CPR part 12 Summary Judgment under CPR Part 24 CPR Part 36 and the costs implications of acceptance, late acceptance and non-acceptance of offers</p>

Learning outcome
The learner will: 5. understand the stages through which a defended action will pass
Assessment criteria
The learner can: 5.1 explain the use of Directions within the different tracks 5.2 explain the purpose and process of various case management procedures

Range
<p>Case management</p> <ul style="list-style-type: none"> • Types of disclosure and inspection: Standard disclosure, specific disclosure, ongoing obligation to disclose, documents exempt from inspection • Interim Applications: Non-compliance, interim payments, requests for further information; request for remedies such as a search or freezing order • Witnesses: Format of witness statements under practice direction 32:17-20 • Purpose of exchanging statements and the process to issue a witness summons: Role of expert witnesses and their duty to the court

Learning outcome
The learner will:
6. understand the procedures involved when a matter reaches trial
Assessment criteria
The learner can:
6.1 explain the order of events at a trial
6.2 explain the principle of costs and how they are awarded

Learning outcome
The learner will:
7. understand enforcement methods relating to debt recovery judgments
Assessment criteria
The learner can:
7.1 describe the types of enforcement methods
7.2 explain the procedure for applying for enforcement
7.3 explain the factors to be considered when selecting an appropriate enforcement method

Range
<p>Types of enforcement methods</p> <p>Warrant of execution, writ of fi fa, charging order, 3rd party debt order, attachment of earnings order, winding up order, bankruptcy order</p> <p>Factors</p> <p>Employment, home ownership, savings, assets</p>

Unit 304

Principles of equality and diversity

UAN:	L/503/4753
Level:	3
Credit value:	8
GLH:	30
Relationship to NOS:	<p>This knowledge based unit supports the following National Occupation Standards for Legal Advice:</p> <ul style="list-style-type: none">• AB3 Facilitate communication using an interpreter• AB4 Establish communication with clients• AE2 Evaluate and develop own practice• GC9 Contribute to the prevention and management of inappropriate behaviour• H16 Influence changes to legislation, policy or practice• HF28 Develop the capacity of the organisation to meet the needs of clients• IB2 First Line Disability Legal Advice• IB3 Disability Legal Advice and Casework• IB4 First Line Discrimination Legal Advice• IB5 Discrimination Legal Advice and Casework• IB36 The provision of advice to older people on their rights under the law• IB15 First Line Employment Legal Advice• IB16 Employment Legal Advice and Casework• ZB Evaluate the quality of customer service
Endorsement by a sector or regulatory body:	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Qualifications.
Aim:	To equip learners with a broad understanding of the knowledge required to promote equality and diversity within organisations and in the provision of services and goods.

Learning outcome
The learner will: 1. understand the key features of a culture that promotes equality and diversity
Assessment criteria
The learner can: 1.1 explain the concept of 'culture' and how it is shown through values and behaviours 1.2 explain the meaning and benefits of promoting diversity and equality 1.3 explain forms of inequality and discrimination 1.4 explain the impact of inequality and discrimination 1.5 describe the legislation and policies covering the promotion of equality and diversity 1.6 describe the processes and behaviours that promote equality and diversity

Range
<p>Culture Culture in teams, groups, organisations and society. Formal and informal culture, values, beliefs, symbols, behaviours, rules</p> <p>Meaning and benefits of diversity and equality Diversity and equality in relation to age, religion or belief, disability, gender, race, national or ethnic origin, sexual orientation, socio-economic background, individual difference. Social, psychological, economic benefits for individuals groups, communities and society Benefits for organisations, customers, and stakeholders.</p> <p>Forms of inequality and discrimination Prejudice, stereotyping, labelling, discrimination, institutional discrimination, structural inequality, exclusion, bullying, harassment, victimisation</p> <p>Impact of inequality Social, psychological, economic consequences of inequality and discrimination for individuals groups, communities and society.</p> <p>Legislation and policies In relation to employment and provision of goods & services: local/organisational policies, national and international laws about equality, discrimination and Human rights. Human Rights Act 1998, Equality Act 2010, European Equality Directives, Family/Carer friendly aspects of employment legislation and policies</p> <p>Processes and behaviours Organisational processes Accessibility to information about the organisation Explicit symbols/signs of organisation's intent to promote equality and diversity</p>

Physical environment that promotes accessibility and inclusion
Demonstrable work practices that promote equality and diversity

Learning outcome
The learner will: 2. understand the importance of the promotion of equality and diversity in an organisation
Assessment criteria
The learner can: 2.1 explain how promoting equality and diversity can benefit an organisation 2.2 explain how promoting equality and diversity can benefit customers and stakeholders 2.3 describe the potential consequences of failure to promote diversity and equality

Range
Benefit an organisation Improvements in: Performance, motivation, involvement, engagement and learning, team development, change, creativity and innovation, growing potential, social capital, customer expectations, ethical & socially responsible business models, legal and economic consequences. Access and responsiveness to new markets
Benefits to customers/service users, groups and communities Access to goods and services. Responsiveness to emerging needs and expectations. Contribution to social cohesion and community relations. Economic and social development and engagement for communities, groups and individuals
Potential consequences Consequences for the organisation – Legal implications in respect of goods, services and employment, economic, business, branding and reputation consequences, employee relations, public perception, publicity, PR, market access. Psychological and social consequences for teams and individuals. Performance and motivation, retention and recruitment consequences. Implications on capacity to learn, change and grow at individual, team and organisational level Consequences for the customers and stakeholders - Exclusion, disengagement, Psychological, social, economic consequences, Legal implications

Learning outcome
The learner will: 3. understand how individuals can promote equality and diversity
Assessment criteria
The learner can: 3.1 describe individual behaviours and actions that promote equality and diversity 3.2 identify appropriate sources for support in promoting equality and diversity

Range**Behaviours and actions**

Self awareness, open communication and active facilitation of feedback. Flexibility and acknowledgement of individual perspective/needs. Appropriate use of language, communication, social awareness, inclusion and access, information about rights and responsibilities, identification and challenge of inequality and discrimination, capacity to learn and change, positive action, working in partnership with others (individuals, teams, groups and organisations), to promote equality and diversity, challenging behaviours that undermine Equality and Diversity, raising awareness, working with others, promoting rights

Sources

Advice, personal support, education and training

Learning outcome

The learner will:

4. understand how to evaluate performance in promoting equality and diversity

Assessment criteria

The learner can:

- 4.1 describe **mechanisms** to enable reflection and feedback about diversity and equality
- 4.2 outline the **key elements** of a plan to improve equality and diversity

Range**Mechanisms**

360 degree feedback, customer surveys, verbal feedback, supervisory systems, performance systems, peer evaluation, benchmarking, learning, self assessment

Key elements

Strengths and weaknesses areas for improvement, resources, monitoring arrangements, accountability, learning and development needs, timescales

Unit 305

The European legal environment

UAN:	D/503/4756
Level:	3
Credit value:	7
GLH:	36
Relationship to NOS:	This knowledge based unit supports the following National Occupation Standards for Legal Advice: <ul style="list-style-type: none">• IB 27• IB 17
Endorsement by a sector or regulatory body:	This unit is endorsed by Skills for Justice, the Sector Skills Council for Legal Qualifications.
Aim:	To give learners a broad overview of the functioning of the UK constitution and then comparing it with the institutions and jurisdiction of the European Union by reference to three key areas of activity, namely, consumer, employment and environmental matters.

Learning outcome
The learner will: 1. understand the law making processes and procedures in the UK
Assessment criteria
The learner can: 1.1 explain the features of the UK constitution 1.2 outline the legislative stages through which a Bill passes to become a statute 1.3 evaluate the concept of Judicial Precedent 1.4 describe the types of delegated legislation and the justification for it 1.5 review the composition and jurisdiction of the criminal and civil courts

Range
Features Composition – legislative, executive and judiciary Function of legislative – to pass Acts Function of executive – to implement Acts Function of judiciary – to interpret Acts Concept of Parliamentary supremacy

Legislative stages

Green Paper, White Paper, First Reading, Second Reading, Committee Stage, Report Stage, Third Reading, House of Lords, Royal Assent

Concept of Judicial Precedent

Hierarchy of the criminal and civil courts; role of courts in interpreting statutes; binding precedent, ratio decidendi and obiter dicta; avoiding awkward precedents; distinguishing precedents

Types of delegated legislation

Types – bye laws, statutory instruments

Devolution in outline

Justification – advantages and disadvantages of the various types

Criminal and civil courts

Supreme Court, the Court of Appeal (Criminal and Civil Divisions), High Court, Crown Court, County Court, Magistrates Court.

Learning outcome

The learner will:

2. understand the role of the main European law making institutions

Assessment criteria

The learner can:

- 2.1 explain the **composition of European law making institutions**
- 2.2 distinguish the **composition** of the European Parliament from the English and Scottish Parliaments and Welsh Assembly
- 2.3 distinguish the composition of the **European Court of Justice and the Supreme Court in the UK**
- 2.4 explain the **functions of the main European law making institutions**

Range

Composition of European law making institutions

- **European Parliament:** Election process, tenure
- **European Commission:** Appointment process, tenure of commissioners
- **Council of the European Union:** Appointment, tenure of the Council members

Composition

MEPs, MPs, MSPs and AM's – election process, tenure

European Court of Justice and the Supreme Court in the UK

Selection process of the ECJ and Supreme Court Judges and terms of appointment

Functions of the main European law making institutions:

- **Functions of the European Parliament:** Deliberative and other roles

- **Functions of the European Commission:** Regulations and directives; guardian of the treaties; enforcement of secondary legislation
- **Functions of the Council of the European Union:** Legislative role, advisory role
- **Functions of the European Court of Justice:** Interpretation of European legislation; make decisions, Article 267 Treaty of the Functioning of the European Union (ex Article 234 TEC)

Learning outcome
The learner will: 3. understand the effect of European law on aspects of UK law
Assessment criteria
The learner can: 3.1 explain the effect of Primary Legislation 3.2 distinguish types of Secondary Legislation 3.3 explain how European law has strengthened aspects of consumer rights 3.4 explain how European law has given employees greater protection in the workplace 3.5 explain how European law has influenced environmental protection

Range
<p>Primary Legislation Treaty of Rome (the EC Treaty), Single European Act 1986, Treaty on European Union 1992 (Maastricht Treaty), Treaty of Amsterdam, Treaty of Nice, The Reform Treaty (Treaty of Lisbon), Treaty on the Functioning of the European Union (TFEU) (formerly the Treaty of Rome and EC Treaty)</p> <p>Secondary Legislation Applicability of Regulations, Directives, Decisions, direct effect</p> <p>Aspects of consumer rights Buying goods and services online, buying goods and services by telephone</p> <p>Protection in the workplace Health and safety, maternity rights, discrimination</p> <p>Environmental protection Food safety, air quality and water purity</p>

Unit 305 The European legal environment

Supporting information

Guidance

3.2 Secondary legislation (Eg cases Francovich 1990, Marleasing 1989, Factortame 1993, Van Duyn 1974)

3.3-3.5 Candidates should cover one directive, one case and one regulation for each of the aspects in the range



Appendix 1 Relationships to other qualifications

Links to other qualifications

Mapping is provided as guidance and suggests areas of commonality between the qualifications. It does not imply that candidates completing units in one qualification have automatically covered all of the content of another.

Centres are responsible for checking the different requirements of all qualifications they are delivering and ensuring that candidates meet requirements of all units/qualifications.

These qualifications have connections to the:

- 7465 Level 3 Diploma for Legal Secretaries

Literacy, language, numeracy and ICT skills development

These qualifications can develop skills that can be used in the following qualifications:

- Functional Skills (England) – see www.cityandguilds.com/functionalskills
- Essential Skills (Northern Ireland) – see www.cityandguilds.com/essentialskillsni
- Essential Skills Wales – see www.cityandguilds.com/esw



Appendix 2 Sources of general information

The following documents contain essential information for centres delivering City & Guilds qualifications. They should be referred to in conjunction with this handbook. To download the documents and to find other useful documents, go to the **Centres and Training Providers homepage** on www.cityandguilds.com.

Centre Manual - Supporting Customer Excellence contains detailed information about the processes which must be followed and requirements which must be met for a centre to achieve 'approved centre' status, or to offer a particular qualification, as well as updates and good practice exemplars for City & Guilds assessment and policy issues. Specifically, the document includes sections on:

- The centre and qualification approval process
- Assessment, internal quality assurance and examination roles at the centre
- Registration and certification of candidates
- Non-compliance
- Complaints and appeals
- Equal opportunities
- Data protection
- Management systems
- Maintaining records
- Assessment
- Internal quality assurance
- External quality assurance.

Our Quality Assurance Requirements encompasses all of the relevant requirements of key regulatory documents such as:

- Regulatory Arrangements for the Qualifications and Credit Framework (2008)
- SQA Awarding Body Criteria (2007)
- NVQ Code of Practice (2006)

and sets out the criteria that centres should adhere to pre and post centre and qualification approval.

Access to Assessment & Qualifications provides full details of the arrangements that may be made to facilitate access to assessments and qualifications for candidates who are eligible for adjustments in assessment.

The **centre homepage** section of the City & Guilds website also contains useful information such on such things as:

- **Walled Garden:** how to register and certificate candidates on line
- **Qualifications and Credit Framework (QCF):** general guidance about the QCF and how qualifications will change, as well as information on the IT systems needed and FAQs
- **Events:** dates and information on the latest Centre events
- **Online assessment:** how to register for e-assessments.

Useful contacts

UK learners

General qualification information

T: +44 (0)844 543 0033

E: learnersupport@cityandguilds.com

International learners

General qualification information

T: +44 (0)844 543 0033

F: +44 (0)20 7294 2413

E: intcg@cityandguilds.com

Centres

Exam entries, Certificates,
Registrations/enrolment, Invoices,
Missing or late exam materials,
Nominal roll reports, Results

T: +44 (0)844 543 0000

F: +44 (0)20 7294 2413

E: centresupport@cityandguilds.com

Single subject qualifications

Exam entries, Results, Certification,
Missing or late exam materials,
Incorrect exam papers, Forms
request (BB, results entry), Exam
date and time change

T: +44 (0)844 543 0000

F: +44 (0)20 7294 2413

F: +44 (0)20 7294 2404 (BB forms)

E: singlesubjects@cityandguilds.com

International awards

Results, Entries, Enrolments,
Invoices, Missing or late exam
materials, Nominal roll reports

T: +44 (0)844 543 0000

F: +44 (0)20 7294 2413

E: intops@cityandguilds.com

Walled Garden

Re-issue of password or username,
Technical problems, Entries,
Results, e-assessment, Navigation,
User/menu option, Problems

T: +44 (0)844 543 0000

F: +44 (0)20 7294 2413

E: walledgarden@cityandguilds.com

Employer

Employer solutions, Mapping,
Accreditation, Development Skills,
Consultancy

T: +44 (0)121 503 8993

E: business@cityandguilds.com

Publications

Logbooks, Centre documents,
Forms, Free literature

T: +44 (0)844 543 0000

F: +44 (0)20 7294 2413

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If you have a complaint, or any suggestions for improvement about any of the services that we provide, email: feedbackandcomplaints@cityandguilds.com

About City & Guilds

As the UK's leading vocational education organisation, City & Guilds is leading the talent revolution by inspiring people to unlock their potential and develop their skills. We offer over 500 qualifications across 28 industries through 8500 centres worldwide and award around two million certificates every year. City & Guilds is recognised and respected by employers across the world as a sign of quality and exceptional training.

City & Guilds Group

The City & Guilds Group operates from three major hubs: London (servicing Europe, the Caribbean and Americas), Johannesburg (servicing Africa), and Singapore (servicing Asia, Australia and New Zealand). The Group also includes the Institute of Leadership & Management (management and leadership qualifications), City & Guilds Land Based Services (land-based qualifications), the Centre for Skills Development (CSD works to improve the policy and practice of vocational education and training worldwide) and Learning Assistant (an online e-portfolio).

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