

Level 2 Award / Certificate / Diploma in Legal Studies (7657)

November 2017 Version 1.9



Qualification at a glance

Subject area	Legal Studies
City & Guilds number	7657
Age group approved	All
Assessment	Assignment Online test
Fast track	Available
Support materials	Centre handbook Assessment pack CILEx Level 2 Legal Studies course books (optional)
Registration and certification	Consult the Walled Garden/Online Catalogue for last dates

Title and level	City & Guilds number	Accreditation number
Level 2 Award in Legal Studies	7657-20	600/5808/0
Level 2 Certificate in Legal Studies	7657-21	600/5807/9
Level 2 Diploma in Legal Studies	7657-22	600/5809/2

Version and date	Change detail	Section
1.1 Sep 2012	Amendments to range	Units
1.2 Dec 2012	Additional clarification to range in Units 203, 205 and 207	Units
1.3 Jan 2013	Further clarification to range in Units 203 and 207	Units
1.4 Oct 2013	Range amendments	Unit 201
1.5 Dec 2013	Centre staffing requirements clarified	Centre requirements
1.6 Sep 2014	Amendments to range and resource list in units 201, 202, 203, 205 and 208	Units
1.7 Sep 2015	Wording added to the range for learning outcome 3 for unit 209	Units
1.8 March 2017	Unit 807 added	Units Structure
1.9 November 2017	Added TQT and GLH details Deleted QCF	Qualification at a Glance, Structure Appendix



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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?	<p>The Award is aimed at candidates currently employed or seeking employment in an area in which a basic knowledge of law will feature in or underpin their work.</p> <p>The Certificate 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.</p> <p>The Diploma provides the opportunity for candidates 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 Chartered Legal Executives.</p>
What do the qualifications cover?	<p>These qualifications in Legal Studies have been developed as part of a range of Level 2 qualifications aimed at candidates looking to develop a career in the legal sector as support staff.</p>
Who did we develop the qualification with?	<p>They were developed in partnership with the Chartered Institute of Legal Executives (CILEx)</p>
What opportunities for progression are there?	<p>They allow candidates to progress into employment or to the following qualifications:</p> <ul style="list-style-type: none">• Level 3 Paralegal Awards (7462)• Level 3 Legal Secretaries (7465)• CILEx Professional qualifications at levels 3 and 6• ILM Team leader qualifications

Structure

Award

To achieve the **Level 2 Award in Legal Studies**, learners must achieve a minimum of **9** credits overall – **5** from the mandatory unit and a minimum of **4** credits from the optional units available.

Certificate

To achieve the **Level 2 Certificate in Legal Studies**, learners must achieve a minimum of **21** credits overall – **17** from mandatory units and a minimum of **4** credits from the optional units available.

Diploma

To achieve the **Level 2 Diploma in Legal Studies**, learners must achieve a minimum of **37** credits overall – **17** credits from mandatory units and a minimum of **20** credits from the optional units available.

Unit accreditation number	City & Guilds unit number	Unit title	Credit value	GLH	Award	Certificate	Diploma
R/503/8688	Unit 201	The legal environment	5	35	M	M	M
A/504/0628	Unit 202	Principles of criminal liability	4	27	O	M	M
D/504/0394	Unit 203	Principles of contract liability	4	23	O	M	M
H/504/0395	Unit 204	Principles of negligence	4	21	O	M	M
F/504/0629	Unit 205	Law in the workplace	4	21	O	O	O
T/504/0630	Unit 206	Civil litigation	4	19	O	O	O
A/504/0631	Unit 207	Consumer rights	4	21	O	O	O
N/A	Unit 807	Consumer rights	4	21	O	O	O
H/504/0400	Unit 208	Family Law	4	21	O	O	O
F/504/0632	Unit 209	Wills and succession	4	21	O	O	O
J/504/0633	Unit 210	Conveyancing	4	23	O	O	O

M = Mandatory unit O = Optional unit

Guided Learning Hours

Qualification	Min GLH	Max GLH
Award	54	62
Certificate	125	129
Diploma	209	213

Total Qualification Time

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 (which are listed separately) and hours spent in preparation, study and assessment.

Title and level	GLH	TQT
Level 2 Diploma in Legal Studies	209	370



2 Centre requirements

Approval

If your Centre is approved to offer the 7462 Level 2 Award, Certificate, Diploma or unit route you can apply for the new 7657 Award, Certificate, Diploma or unit route 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:

- have a recognised qualification in law at or above the level they are teaching **AND**
- 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 **AND**
- have recent relevant experience in the specific area(s) they will be assessing **AND**
- 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 Assurer

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.

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

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



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
Qualification handbook	www.cityandguilds.com
Assessment Pack	www.cityandguilds.com
Fast track approval forms	www.cityandguilds.com
CILEx Level 2 Legal Studies course books	www.cilex.org.uk
Sample assignments	www.cityandguilds.com
Sample online test questions	www.cityandguilds.com
Assignment guide for centres	www.cityandguilds.com
Assignment guide for candidates	www.cityandguilds.com



4 Assessment

Candidates must:

- successfully complete **one** assignment or online test for each mandatory unit
- successfully complete **one** assignment for each chosen optional unit

City & Guilds, in partnership with CILEx, has written the following assessments to use with this qualification:

- online multiple choice test, using e-volve
- assignments

Unit	Title	Assessment method	Where to obtain assessment materials
201	The legal environment	City & Guilds e-volve multiple choice test The test covers all of the knowledge in the unit.	N/A Examinations provided on e-volve
202	Principles of criminal liability	The assignment covers the knowledge in the unit. It is set by City & Guilds/CILEx, delivered and marked by the tutor/assessor, and will be externally verified by City & Guilds to make sure it is properly carried out.	www.cityandguilds.com
203	Principles of contract liability	The assignment covers the knowledge in the unit. It is set by City & Guilds/CILEx, delivered and marked by the tutor/assessor, and will be externally verified by City & Guilds to make sure it is properly carried out.	www.cityandguilds.com
204	Principles of negligence	The assignment covers the knowledge in the unit. It is set by City & Guilds/CILEx, delivered and marked by the tutor/assessor, and will be externally verified by City & Guilds to make sure it is properly carried out.	www.cityandguilds.com

205	Law in the workplace	The assignment covers the knowledge in the unit. It is set by City & Guilds/CILEx, delivered and marked by the tutor/assessor, and will be externally verified by City & Guilds to make sure it is properly carried out.	www.cityandguilds.com
206	Civil litigation	The assignment covers the knowledge in the unit. It is set by City & Guilds/CILEx, delivered and marked by the tutor/assessor, and will be externally verified by City & Guilds to make sure it is properly carried out.	www.cityandguilds.com
207	Consumer rights	The assignment covers the knowledge in the unit. It is set by City & Guilds/CILEx, delivered and marked by the tutor/assessor, and will be externally verified by City & Guilds to make sure it is properly carried out.	www.cityandguilds.com
807	Consumer rights	The assignment covers the knowledge in the unit. It is set by City & Guilds/CILEx, delivered and marked by the tutor/assessor, and will be externally verified by City & Guilds to make sure it is properly carried out.	www.cityandguilds.com
208	Family Law	The assignment covers the knowledge in the unit. It is set by City & Guilds/CILEx, delivered and marked by the tutor/assessor, and will be externally verified by City & Guilds to make sure it is properly carried out.	www.cityandguilds.com
209	Wills and succession	The assignment covers the knowledge in the unit. It is set by City & Guilds/CILEx, delivered and marked by the tutor/assessor, and will be externally verified by City & Guilds to make sure it is properly carried out.	www.cityandguilds.com

210 Conveyancing The assignment covers the knowledge in the unit. www.cityandguilds.com
It is set by City & Guilds/CILEx, delivered and marked by the tutor/assessor, and will be externally verified by City & Guilds to make sure it is properly carried out.

Time constraints

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

- Candidates must finish their assessment within their period of registration
- Unit 201 The legal environment online multiple-choice test is 1 hour and must be conducted in accordance with City & Guilds *Regulations on the conduct of exams*. Candidates may re-sit the test as many times as the centre thinks is acceptable within the candidate's period of registration.
- Assignments should take no longer than 3 hours. If they do, centres should consider why this is, and make sure that they are not trying to gather too much evidence.

Test specifications

The way the knowledge is covered by the online test is laid out in the table below:

Test 1: Unit 201 The legal environment
Duration: 1 hour

Unit	Outcome	Number of questions	%
201	1 Understand the purpose of law and the framework within which it operates	3	10%
	2 Understand the main sources of English law	10	33%
	3 Understand the operation of the legal system	17	57%
	Total	30	100

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 and is also sector specific.



5 Units

Availability of units

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

Structure of units

These units each have the following:

- City & Guilds reference number
- unit accreditation number (UAN)
- title
- level
- credit value
- guided learning hours
- unit aim
- information on assessment
- learning outcomes which are comprised of a number of assessment criteria
- notes for guidance.

Summary of units

Unit	Title	UAN	Credits
201	The legal environment	R/503/8688	5
202	Principles of criminal liability	A/504/0628	4
203	Principles of contract liability	D/504/0394	4
204	Principles of negligence	H/504/0395	4
205	Law in the workplace	F/504/0629	4
206	Civil litigation	T/504/0630	4
207	Consumer rights	A/504/0631	4
807	Consumer rights	N/A	4
208	Family Law	H/504/0400	4
209	Wills and succession	F/504/0632	4
210	Conveyancing	J/504/0633	4

UAN	R/503/8688
Level:	2
Credit value:	5
GLH:	35
Assessment requirements:	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 outcome
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 outcome

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 outcome

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

Unit 201 The legal environment

Supporting information

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))
- example claim forms

UAN	A/504/0628
Level:	2
Credit value:	4
GLH:	27
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 criminal law. The candidate 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 outcome
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 outcome
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

UAN	D/504/0394
Level:	2
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 outcome
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 outcome

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

Unit 203 Principles of contract liability

Supporting information

Notes for guidance

Resources

For this unit the likely resources required will be:

- Law Reform (Frustrated Contracts) Act 1943

UAN	H/504/0395
Level:	2
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 outcome
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 criteria
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 harm

UAN	F/504/0629
Level:	2
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
<p>Situations Pregnancy, sexual orientation</p> <p>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)</p> <p>Remedies Damages, re-instatement, re-engagement</p> <p>Pro-formas ET1, ET3</p>

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 the difference between direct and indirect discrimination

Range
<p>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.</p> <p>Difference between direct and indirect discrimination access to employment, reasonable adjustments</p>

Unit 205 Law in the workplace

Supporting information

Notes for 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

UAN	T/504/0630
Level:	2
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 outcome
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

Unit 206 **Civil litigation**

Supporting information

Resources

For this unit the likely resources required will be:

- CPR
- Pre-Action Protocols (CPR)
- Court diagram
- Sample conditional fee agreements
- N1 claim form.

For candidates that have registered and started Unit 207 before
May 2017 – please complete Unit 207

For any candidates that haven't started Unit 207, or registered after
May 2017– please complete Unit 807

Unit 207 Consumer rights

UAN	A/504/0631
Level:	2
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, consumer protection and consumer support organisations.

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 contract
- 1.2 describe the **key sections** of The Sale of Goods Act 1979 as amended
- 1.3 define an exclusion clause
- 1.4 explain the **effect** of an exclusion clause
- 1.5 explain the **provisions** of Part 1 of the Consumer Protection Act 1987

Range

Basic requirements

Offer, acceptance, consideration, privity rule, intention

Key sections

Sections 12(1), 12(2), 13(1), 14(2), 14(3) and 15(2)

Effect

The Common Law Principles – Incorporation and Adequate Notice
Statute Law – The Unfair Contract Terms Act 1977 Sections 2(1) and 2(2)

Provisions

Strict liability relating to defective products

Learning outcome

The learner will:

2. Understand the basic remedy of damages in consumer contracts

Assessment criteria

The learner can:

2.1 explain the **purpose** of damages

2.2 explain when **damages** would be awarded

Range**Purpose**

Compensate the claimant

Damages

The loss must not be too remote, claimant has a duty to mitigate loss

Learning outcome

The learner will:

3. Understand the role of consumer support organisations

Assessment criteria

The learner can:

3.1 identify **organisations** which can assist the consumer in relation to the exercising of their rights

3.2 explain the **role** of consumer support organisations

Range**Organisations**

The Trading Standards' Department of a local authority, Law Centres, Citizens' Advice Bureaux, County Courts, Financial Ombudsman Service, Consumer Direct, The Office of Fair Trading, Consumer Advice Centres, A local consumer organisation

Role

Advising the consumer, enforcing consumer law issues, prosecutions

Unit 207 Consumer rights

Supporting information

Notes for guidance

Resources

For this unit the likely resources required will be:

- The Sale of Goods Act 1979
- The Supply of Goods and Services Act 1982
- The Sale and Supply of Goods Act 1994
- The Unfair Contracts Terms Act 1977.

Unit 807 Consumer rights

UAN	N/A
Level:	2
Credit value:	4
GLH:	21
Assessment requirements specified by a sector or regulatory body:	This unit will be assessed by an externally set and locally marked 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
<p>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.</p> <p>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</p> <p>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</p> <p>Statutory Rights for digital content Satisfactory quality, fit for a particular purpose, as described by the seller. Key Sections Sections 34, 35, 36</p>

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
<p>Common Law Remedies (non-statutory remedies) Damages and specific performance</p> <p>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</p>

Supporting information

Notes for 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

UAN	H/504/0400
Level:	2
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 outcome
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:

- | |
|--|
| <ul style="list-style-type: none"> 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

<p>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.</p>
--

Learning outcome

The learner will:

- | |
|---|
| <ul style="list-style-type: none"> 3. Understand the provisions relating to children following the breakdown of a relationship |
|---|

Assessment criteria

The learner can:

- | |
|---|
| <ul style="list-style-type: none"> 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

Unit 208 Family Law

Supporting information

Notes for 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

UAN	F/504/0632
Level:	2
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
Formalities Wills Act 1837 ss 7 and 9 (as amended by Administration of Justice Act 1982) s. 21 (alterations after execution)
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.

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.

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)

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
The learner can: 4.1 describe the types of grant available where a Will is in existence 4.2 describe the types of grant where there is an intestacy 4.3 identify the situations in which the different types of grant apply

Range
Will is in existence Probate; Letters administration with the Will annexed
Intestacy Letters of administration
Situations 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

Learning outcome
The learner will: 5. Understand the provisions of the Inheritance (Provision for Family and Dependents) Act 1975
Assessment criteria
The learner can: 5.1 explain the categories of those entitled to claim 5.2 identify the jurisdiction of the court 5.3 explain the factors which a court will take into consideration when determining “sufficient financial provision” 5.4 identify the time limit for making a claim

Range
Categories 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
Jurisdiction of the court

If under £30,000 application to County Court; if higher application to either Chancery Division or Family Division of High Court

Factors

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

Unit 209 **Wills and succession**

Supporting information

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

UAN	J/504/0633
Level:	2
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 outcome
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

Assessment criteria

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

Unit 210 Conveyancing

Supporting information

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 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 Legal Secretaries
- 7473 Legal Administrators
- 7462 Paralegal Awards
- CILEx Level 3 Certificate/Professional Diploma in Law and Practice

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 on such things as:

- **Walled Garden:** how to register and certificate candidates on line
- **Events:** dates and information on the latest Centre events
- **Online assessment:** how to register for e-assessments.

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Useful contacts

UK learners General qualification information	E: learnersupport@cityandguilds.com
International learners General qualification information	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	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	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	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	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	F: +44 (0)20 7294 2413

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