

Qualification Specification

Focus Awards Level 3 Award in Paralegal Practice
(RQF)

603/1537/4

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Focus Awards Level 3 Award in Paralegal Practice (RQF)

Qualification details

QRN: 603/1537/4
 Credits: 4
 GLH: 40
 TQT: 40

Qualification purpose

The Focus Awards Level 3 Award in Paralegal Practice (RQF) will provide learners with the knowledge, skills and understanding of the UK legal system, enable them to communicate effectively and conduct themselves professionally.

The Focus Awards Level 3 Award in Paralegal Practice (RQF) is aimed at those who work in the legal profession and are looking to become a paralegal.

Qualification structure/Rules of combination

Learners must complete the 3 mandatory units to achieve a total of **4 credits**.

Unit Title	Unit Ref	Level	GLH	Credit	TQT
Mandatory					
UK Legal System	A/615/7443	3	20	2	20
Effective communication	F/615/7444	3	10	1	10
Professional Conduct and Ethics	A/615/8642	3	10	1	10

Learner entry requirements

There are no specific entry requirements for this qualification.

Age Ranges

Entry is at the discretion of the centre; however learners should be 18 or over to undertake this qualification.

Geographical Coverage

This qualification has been accredited for use in England and Northern Ireland.

Reasonable Adjustments and Special Considerations

Please refer to the Focus Awards 'Focus Awards Reasonable Adjustments and Special Consideration Policy.'

Assessment methods

Focus Awards have decided that all learners are required to create a Portfolio of Evidence that demonstrates all of the learning outcomes and assessment criteria have been met. This section also includes the types of evidence that are permitted to be included within the portfolio, which include:

- Assessor observation – completed observational checklists on related action plans;
- Witness testimony;
- Learner product;
- Worksheets;
- Assignments/projects/reports;
- Record of oral and written questioning;
- Learner and peer reports;
- Recognition of prior learning (RPL).

Progression routes

Learners who successfully achieve the Focus Awards Level 3 Award in Paralegal Practice (RQF) can progress onto similar or higher level qualifications such as the Level 4 Diploma in Paralegal Studies or the Level 7 Diploma in Paralegal Practice.

Useful websites and supporting materials

You will find useful websites and supporting materials here:

- www.focusawards.org.uk/supportingmaterials
- www.ofqual.gov.uk

Appendix A: Units

Unit Title:	UK Legal System		
Unit No:	A/615/7443		
Level:	3		
GLH:	20		
Credit:	2		
Unit details: The aim of this unit is to provide the learner with the knowledge and understanding of the legal system within the UK.			
Learning Outcome The learner will:		Assessment Criterion The learner can:	
1	Be able to show a clear understanding of the Legal system within the UK.	1.1	Explain how governments are formed
		1.2	Define what the three branches of government are and identify their differences
		1.3	Explain the differences between, English, Scots and Northern Ireland law
		1.4	Explain the types of laws that are in place in the UK.
		1.5	Describe the differences between common law and civil law
		1.6	Identify the key people within the legal sector
		1.7	Describe the structure and hierarchy of the UK court system

Unit Title:	Effective communication		
Unit No:	F/615/7444		
Level:	3		
GLH:	10		
Credit:	1		
Unit details: The aim of this unit is to provide the learner with the knowledge and understanding to be able to communicate effectively whilst following policies and procedures of data protection and confidentiality.			
Learning Outcome The learner will:		Assessment Criterion The learner can:	
1	Be able to communicate effectively.	1.1	Explain why it is essential to provide effective communication as a paralegal
		1.2	Describe the different methods of communication
		1.3	Describe how different methods of communication can be used in a paralegals role for different tasks
2	Understand policy and procedures for data protection and confidentiality.	2.1	Explain what the Data Protection Act is
		2.3	Analyse the main points of legislation and procedures covering confidentiality, data protection and the disclosure of information.
		2.2	Describe what Confidentiality means

Unit Title:	Professional Conduct and Ethics		
Unit No:	A/615/8642		
Level:	3		
GLH:	10		
Credit:	1		
Unit details: The aim of this unit is to provide the learner with the knowledge and understanding of the values and theories of ethics and the anti-discriminatory practice as a paralegal.			
Learning Outcome The learner will:		Assessment Criterion The learner can:	
1	Understand the values and theories of ethics.	1.1	Analyse the theories of values and ethics
		1.2	Explain the actions that should be taken if there is a conflict of interest
		1.3	Evaluate ways in which concerns about poor practice can be reported whilst ensuring that whistle-blowers and those whose practice or behaviour is being questioned are protected.
2	Understand Anti-discriminatory practice as a paralegal.	2.1	Describe the main features of key legislation relating to anti-discriminatory practice
		2.2	Analyse the impact of prejudice and discrimination on individuals
		2.3	Explain how to challenge discrimination

Appendix B: Assessment Strategy

Tutor and Assessor Requirements

It is essential that candidates are assessed by competent individuals. It is important that assessors are able to recognise occupational competence as specified by the national standard. Assessors therefore need to have a thorough knowledge and understanding of assessment and quality assurance practices and an in-depth knowledge and understanding of the qualifications for which they are assessing candidates.

Requirements of Tutors:

Tutors should hold, or be working towards a teaching qualification. The following are acceptable:

- Preparing to Teach in the Lifelong Learning Sector (PTLLS);
- Certificate to Teach in the Lifelong Learning Sector (CTLLS);
- Diploma to Teach in the Lifelong Learning Sector (DTLLS);
- Level 3 Award in Education and Training;
- Level 4 Certificate in Education and Training;
- Level 5 Diploma in Education and Training.

Focus Awards will consider other teaching qualifications upon submission.

Tutors must also be able to show the following:

- Relevant technical / occupational competency in the disciplines/units they wish to teach.

Requirements of Assessors:

Assessors should hold or be working towards the following:

- D32/D33;
- A1 qualification;
- Level 3 Award in Assessing Vocational Achievement;
- Level 3 Award in Assessing Competence in the Work Environment;
- Level 3 Certificate in Assessing Vocationally Related Achievement;

Assessors must also be able to show the following:

- Relevant technical / occupational competency in the disciplines/units they wish to teach.

Please note that trainee assessors will require their decisions to be countersigned by a suitably qualified assessor.

Requirements of Internal Quality Assurers (IQA):

IQA's should hold or be working towards one of the following:

- D34;
- V1 qualification;
- Level 4 Award in the Internal Quality Assurance of Assessment.

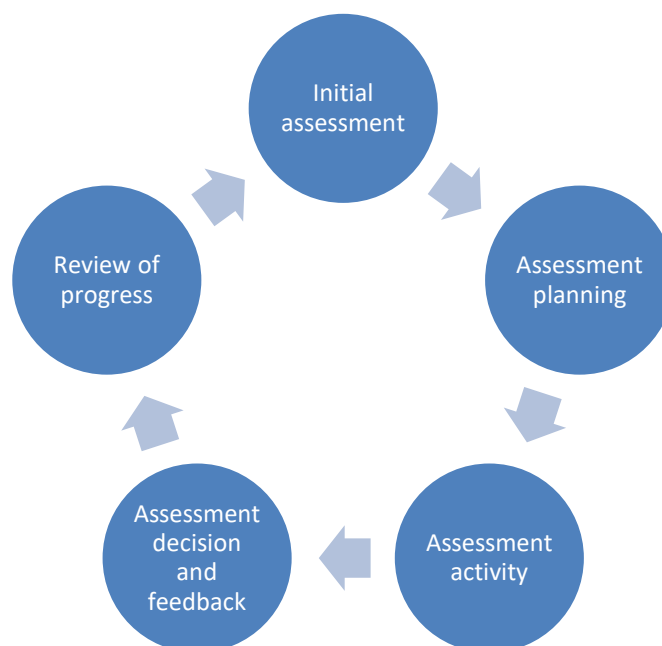
Appendix C: Assessment Best Practice

The assessment process

The assessment process is a systematic procedure which should be followed to give learners a positive experience. This can be achieved by following the assessment cycle. The cycle will continue until all aspects of the qualification have been achieved by your learner(s).

Throughout the cycle, standardisation of assessment practice between assessors should take place; this will ensure consistency and fairness of decisions and that all assessors interpret the requirements in the same way. Internal Quality Assurance will also take place throughout the cycle as part of your Centre's internal quality assurance arrangements.

The assessment cycle



Initial assessment

The assessor must ascertain if the learner has any previous knowledge and/or experience of the subject/topic/unit to be assessed. This information can be obtained through application forms, interviews or professional discussions. The results of the initial assessment will give you vital information regarding your learners which you may be able to use within the assessment process for

example claiming exemptions, equivalences, credit transfer or Recognition of Prior Learning (RPL). It will also give you vital information if your learner requires further training or any additional support they may need. This process might not always be carried out by the assessor, but the information obtained must be passed onto the assessor in order for them to effectively move onto the next stage of the assessment cycle and plan the learner assessment. Initial assessment is known as assessment for learning, as it helps prepare learners for assessment and identifies their potential.

Assessment planning

Assessment planning should be short and medium/long term, to allow for both formative and summative assessment to take place. Inclusion of your learner(s) in the planning process will help identify what they have learnt, how and when they will be assessed and will allow for communication to take place to clarify any points or concerns.

Assessment activity

The assessor must use relevant methods, approaches and activities for example observation, questioning, assignments or gathering appropriate evidence of competence. Assessment can be formative (usually ongoing and to check progress) and summative (usually at the end, that fully achieves the assessment criteria and fully concludes the assessment cycle).

Assessment decision and feedback

The assessor makes a judgement of success or otherwise, giving constructive feedback and agreeing further action that may be necessary. Records of what was assessed and the decisions made should always be maintained.

Review of progress

The assessor reviews the progress and achievement with the learner, discussing any other issues that may be relevant to the learning and assessment process. Within this session, the assessor will naturally start the assessment cycle again, by identifying what is the next stage in the assessment of the qualification, how the learner will achieve this and then planning the assessment.

Records should be maintained throughout all aspects of the assessment cycle and internal quality assurance activities should take place on an ongoing basis.

Exemptions, equivalences, credit transfer and RPL

With the introduction of the RQF it now enables learners to avoid duplication of learning and assessment through equivalences or exemptions as follows:

- For achievements within the RQF it is possible to transfer credit (equivalence)
- Individuals with certificated achievements outside the RQF can claim exemption from the requirement to achieve credits for designated units
- If a learner has previously achieved the same unit through another awarding organisation, this will be classed as a credit transfer.

- In all these cases as the learner has already had their achievement recognised, and will have received a certificate to confirm this, their achievement towards this specific qualification **MUST** be shown as an exemption, equivalence or credit transfer and **MUST NOT** be allocated any credit achievement.

Recognition of Prior Learning (RPL) is a method of assessment that considers whether a learner can demonstrate that they can meet the assessment requirements for a unit through knowledge, understanding or skills they already possess and do not need to develop through a course of learning. Therefore the learner is either awarded the unit or can progress straight to assessment without the need for delivery. This will show as a unit achievement on the certificate. For any learner who has previously achieved units that have been approved as Exemptions, Equivalences, and Credit Transfer or will be achieved through RPL it is your responsibility to inform Focus Awards at registration, through the use of the registration excel spread sheet.

The claim must first of all be made to your Centre and it is your responsibility to make the initial consideration – if you are in any doubt you should request advice/clarification from Focus Awards. Upon authorising the request, you must ensure that appropriate evidence and documentation is reviewed, maintained and made available to Focus Awards staff as required.

Guided Learning Hours (GLH)

The guided learning hours figure gives the minimum amount of time required to 'deliver' the programme, and includes all times when a member of staff is present to give specific guidance towards learning aims/outcomes, as well as other structured learning time such as directed assignments, supported individual study or practice and assessment. It does not include time spent on learner-initiated work; or time spent by tutors marking assignments where the learner is not present.

Assessment

Assessment practices must reflect the Equality and Diversity Policy of Focus Awards and reasonable adjustments may be required for individual learners to enable them to undertake assessments fairly. Please see our guidance and the procedures for applying reasonable adjustments.

Assessment must meet fully all learning outcomes and assessment criteria as described in the qualification specification/assessment strategy; although the method of assessment may sometimes be adjusted to cater for learners requiring alternative assessment methods. The qualification assessment strategy provides detailed assessment and evidence requirements.

Consistency of assessment decisions

The consistency of assessment decisions, across learners, sites and assessors, is of primary importance in assuring the quality of assessment within a Centre. Focus Awards ensures that the following mechanisms are in place to assist this:

- Assessors are qualified or working towards current assessor standards;
- Level 3 Award in Assessing Vocational Achievement or Level 3 Award in Assessing Competence in the Work Environment. Note: D32.33 and A1 is also acceptable;
- Assessors have relevant subject competency in the units they wish to assess;
- Assessors are observed assessing by qualified IQA's at least once per year;
- Standardisation exercises are carried out with the Centre;
- Focus Awards issue 'Assessment Guidance' documentation for each qualification;
- Centre training days run by Focus Awards include assessment best practice;
- External quality assurance is carried out at least twice per year in each Centre by trained and qualified EQA's.

Judging authenticity

- Assessors must ensure that the evidence provided by learners is valid, current, sufficient, reliable and authentic;

- Trainers/assessors should ensure that learners sign a declaration that their work is authentic i.e. their 'own unaided work';
- You must implement a Record of Achievement document to record how the learning outcomes and assessment criteria has been sufficiently covered. By 'signing off' learners evidence using this document the assessors and IQA's are confirming that the assessment evidence submitted by the learner is authentic and their own unaided work and it is sufficient to meet the stated learning outcomes and assessment criteria;
- Where there is suspicion that the work may not be authentic, the assessor should carry out checks to ascertain its authenticity. For example, oral questioning to check the learner's knowledge matches the evidence provided;
- Evidence which is deemed to be inauthentic should not be accepted.

Guidance on re-submission of learner assessment

- There is no limit to the number of times that work may be resubmitted by the learner for assessment;
- However, you may wish to operate your own systems and policies for additional support/advice which may be given to learners who have been unsuccessful on a number of occasions;
- Assessors/tutors may offer some assistance to learners to learners in completing written work, such as explaining what the questions mean or offering additional guidance when they have previously answered questions incorrectly, however, assessors/tutors must not give learners, or lead them to, the correct answers;
- Assessors/tutors should not add to learners' answers in worksheets, etc... where they do not fully meet the required standard. Rather the learner should be asked to add to their answers themselves until they demonstrate competence.

Use of language and stimulus materials

It is your responsibility as a Centre to provide your learners with suitable resources and assessment materials to support them in their learning journey. Resources and assessment materials and the language used within these should be suitable and appropriate to their needs. They are only appropriate if they:

- Enable learners to demonstrate their level of attainment;

- Require knowledge, skills and understanding which are required for the qualification;
- Are clear and unambiguous (unless ambiguity forms part of the assessment) and
- Are not likely to cause unnecessary offence to learners.

The use of these materials will be reviewed during Centre EQA monitoring visits and in considering whether language and stimulus materials for learning and assessment are appropriate, an EQA will take into account the following:

- The age of learners who may reasonably be expected to take the qualification;
- The level of the qualification;
- The objective of the qualification;
- The knowledge, skills and understanding assessed for the qualification;
- It contains language or content which could lead a group of learners who share a common attribute or circumstance to experience – because of that attribute or circumstance – an unreasonable disadvantage in the level of attainment that they are able to demonstrate in the assessment.

Please note that for the creation of manuals or text books, you must show how each of the learning outcomes has been covered and for assessment materials you must adopt an evidence referencing system to show how each of the assessment criteria has been covered.

Appendix D: Guidance on observed assessments

Assessment briefing

When carrying out a planned observed assessment, it is essential that the assessor carries out a briefing prior to the assessment. The assessment briefing should cover the following information:

- Where the assessment will take place;
- How the assessment will be conducted;
- What the student is expected to present in terms of performance evidence;
- Any documentation which forms part of the assessment;
- When questioning and feedback will take place;
- What to do if there is a disagreement with the assessment decision (appeals procedure);
- The assessor should also use this time to let students ask questions or seek clarification on anything relating to the planned assessment. Others involved in the assessment process should be part of the assessment briefing.

The assessment briefing is usually carried out in a group situation and then the assessor will briefly confirm the process with each individual before the assessment commences.

Observing the learner

Observation is the main method of assessing practical competence and involves the assessor watching the student carry out the planned tasks. When carrying out an observed assessment, the assessor should adhere to the following guidelines:

- Involve the student;
- Complete an adequate briefing;
- Use an assessment checklist;
- Ensure good observational position enabling you to see/hear appropriately;
- Avoid becoming involved in the assessment process except in instances of health of safety or when 'moving on';

- When 'moving on', stick to the phrase 'thank you, can you move onto the next exercise please'. Avoid using phrases such as 'that's great' or 'well done' – this could give an indication of performance;
- Ensure sufficient time is planned to give immediate feedback after the assessment;
- Use a method of recording the observation that is as unobtrusive as possible. Rustling papers can prove disruptive in a quiet environment where people are concentrating on what is being assessed;
- Be seen to be observing, never eat, talk to other people, text on a mobile phone or any other such action which will distract from your observation;
- Avoid using positive/negative body language – this could give an indication of performance.

Suggested stages of an observation for the Focus Awards Level 3 Award in Paralegal Practice (RQF)

- **Step 1**
Initial Learner briefing
- **Step 2**
Direct Observation
- **Step 3**
Learner/Client Feedback
- **Step 4**
Learner Evaluation with client (15 minutes minimum)
- **Step 5**
Assessor Questions (open and non-leading)
- **Step 6**
Assessor Decision (pass/refer)
- **Step 7**
Assessor Feedback (constructive, concise and relevant to performance criteria, written and verbal)

Questioning to Assess Knowledge and Understanding

It is easy to infer a level of understanding by what we see during observation and so it is essential that we question learners if we are ever in doubt about underpinning knowledge;

However, a question should not be asked if the assessor does not see a particular PC.

Questions can be divided into two categories:

- Open questions start with the words, 'How?', 'What?', 'When?', 'Where?', 'Why?' and 'Who?' - These words act as prompts to give the students the opportunity to respond fully in their own words.
- Closed questions enable the students to respond with a simple 'Yes' or 'No' response. For example, "Would you ask a participant to keep the back straight when lifting weights from the floor?"

Assessors should always use open questions when assessing underpinning knowledge

It is a Focus Awards requirement that all questions asked during assessment are recorded together with learner responses. These must be written out in full and signed and dated by both the learner and assessor.

It is unacceptable to write next to a question "learner answered correctly". If there was an appeal against your assessment decision, then there should be a clearly auditable trail of evidence which shows the question that was asked and the learner response.

Non-Leading Questions

Assessors should be careful not to use questions that could lead the learners by giving him or her, a clue to the right answer. They should also be aware of any preferences or opinions they might hold that could affect the way they ask questions. It is just as easy to lead the learner by the tone or inflection of the voice or by some facial expression or body movement.

Examples of leading questions would be:

- "Your participant seemed to be out of breath on the CV section of your workout, do you think you could have brought the intensity down for her?"
- "Are the deltoids worked in a bench press as well as the pectorals and triceps?"

Feedback

'Structured information that one person offers to another, about the impact of their actions or behaviour'.

- Feedback following assessment should relate specifically to what has been assessed and how the evidence presented meets, or does not fully meet the criteria being assessed.

- Feedback should not include your opinion nor should it be a criticism.
- Criticism is one person's judgement of another person, or their work. Criticism is likely to make someone feel devalued or angry; and does nothing to boost self-confidence. It does not help a person to solve the problem. It shows that you dismiss, reject or disapprove, and is unlikely to lead to the result you intended. You will get a result - but it may be a worse situation or a backlash.
- Effective feedback should be a two way process, involving the learner at all times.

Appendix E: Example Assessment Plan

Assessor name:

Learner name:

Date:

Date and timings of planned assessment	Unit/s and/or learning outcome/s to be assessed	What is to be assessed? Describe the activity or process you will observe or the product to be produced.	Assessment Method (Please see key below)	Date assessment completed

I confirm that the assessment process, the activity and evidence to be generated has been fully explained to me:

Signed by Learner:

Date:.....

OQ - Oral Questioning, **O** – Observation, **WT** - Witness Testimony, **S** - Simulation, **PD** - Professional Discussion, **WQ** - Written Questions,
A - Assignment/Project, **WP** - Work Project, **CS** - Case Study, **RA** – Reflective Account, **RPL** – Recognition of prior learning

Professional Discussion

Learner name:	
Assessor name:	
Date:	
Assessment criteria / topic of discussion:	Learner response:

Assessor signature:		Date:	
Learners signature:		Date:	
Internal quality assurer signature:		Date:	

Assessor Question Sheet

Qualification:

Unit:

Assessor question	Learner response	Assessment criteria covered

Assessor signature:		Date:	
Learners signature:		Date:	
Internal quality assurer signature:		Date:	

Assessor Feedback Sheet

Qualification:

Unit(s):

Performance criteria / assessment criteria	Assessor feedback

Assessor signature:		Date:	
Learners signature:		Date:	
Internal quality assurer signature:		Date:	

Learner Assessment Record

Evidence	Date Achieved	Assessor signature	Learner Signature

