



Level 3 Paralegal Practice Qualification Specification

This document covers the following Qualifications:

TITLE	Qualification Reference Number
NALP Level 3 Award in Paralegal Practice	600/7889/3
NALP Level 3 Certificate in Paralegal Practice	600/7693/8
NALP Level 3 Diploma in Paralegal Practice	600/7694/X

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1. Introduction

The National Association of Licensed Paralegals (NALP) is an Awarding Organisation recognised by the Office of Qualifications and Examinations (Ofqual) to offer regulated qualifications in England respectively. NALP specialises in providing qualifications for persons working in or looking to work as a Paralegal.

NALP is also a membership body, and through its training arm, NALP Training, offers NALP qualifications by distance learning.

2. Summary of the Qualifications Covered by this Specification

2.1. NALP Level 3 Award in Paralegal Practice

The Level 3 Award in Paralegal Practice enables you to gain or strengthen your knowledge of key areas of law, along with the associated skills that are applicable to your job or intended job.

2.2. NALP Level 3 Certificate in Paralegal Practice

This is a slightly more extensive qualification; the Level 3 Certificate in Paralegal Practice will enable you to gain a broader knowledge of Paralegal Practice whilst focusing on the specific legal areas that are suitable for your job or intended career.

2.3. NALP Level 3 Diploma in Paralegal Practice

Our Level 3 Diploma in Paralegal Practice has a more extensive structure, enabling you to gain the key skills and competencies you will require to become an effective Paralegal. A Level 3 Diploma in Paralegal Practice is the benchmark qualification, taking you a step nearer to becoming a Professional Paralegal and applying for Associate Membership of NALP.

2.4. Rules of Combination

Since the removal of the Qualification and Credits Framework (QCF) by Ofqual in 2016, the requirement for allotting 'Credits' to qualification is no longer mandatory. NALP has therefore taken the decision to remove the previously allotted credit values, but instead differentiate between the 3 different Level 3 qualifications using the Total Qualification Time (TQTs – see Section 7 below), in line with Ofqual's Guidance issued in July 2016.

In order for Learners to achieve the different Level 3 qualifications, they will need to complete sufficient units to meet the following criteria:

Award – Learners need to complete mandatory unit 30 plus any other unit to a minimum of 129 TQTs to achieve the qualification. The Maximum TQTs it will take for a Learner to achieve this qualification is 172.

Certificate – Learners need to complete mandatory units 30 and 31 a plus any combination of units to a minimum of 220 TQTs to achieve the qualification. The Maximum TQTs it will take for a Learner to achieve this qualification is 281.

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Diploma – Learners need to complete mandatory units 30 and 31 plus any combination of units to a minimum of 318 TQTs to achieve the qualification. The Maximum TQTs it will take for a Learner to achieve this qualification is 387.

3. Objectives of the Qualifications

The Level 3 Paralegal Practice qualifications are designed for paralegals, and those who aspire to train to become paralegals and currently work in business administration or secretarial services or within the legal environment, or those who wish to enter into the profession and seek to develop key skills and knowledge such as drafting; negotiating; legal system and knowledge of specialist legal subject areas such as conveyancing or employment law.

Please note that these qualifications are specifically written with English law at their base. These qualifications are therefore best suited to those who seek to work in the UK or abroad where the system of law is based on English Common Law.

Learners who successfully achieve NALP Level 3 in Paralegal Practice will gain a recognised and respected qualification that will aid them in their career entry and progression.

4. Entry Requirements

These qualifications are designed to be offered to learners from the age of 16, although in practice the majority of learners are likely to be over 18.

NALP does not specify entry requirements other than that a reasonable standard of written English is required. However, Centres delivering this course are required to ensure that learners who undertake these programmes have sufficient capability at the right level to be suitable to undertake a Level 3 assessment.

All Learners must hold at least Affiliate Membership of NALP. One year's free Affiliate Membership is provided to all Learners, but this must be renewed for those whose studies continue beyond that period at the Learner's expense.

5. Recognition of Prior Learning

NALP allows exemptions for Learners who have passed relevant qualifications with other awarding organisations and provide a full list of these on their website.

They will also consider qualifications not on the standard list, dependent upon individual circumstances and the content of those qualifications.

NALP will also consider prior knowledge gained through experience.

All applications for exemptions must be completed and submitted with the relevant evidence and will only be considered after payment of the appropriate administration fee. Full details of the exemptions allowed and the process to be followed can be found at:

6. Progression for Learners

The Level 3 qualifications in Paralegal Practice provide for opportunities to progress to other qualifications at the same or higher levels such as the NALP Level 4 Diploma in Paralegal Studies. This qualification supports learners in meeting the requirements of the National Occupational Standards for Paralegals.

7. Total Qualification Time (TQTs)

Guided Learning Hours (GLH) is defined by Ofqual as being *“The activity of a Learner in being taught or instructed by – or otherwise participating in education or training under the **Immediate Guidance or Supervision** of – a lecturer, supervisor, tutor or other appropriate provider of education or training”* and includes *“the activity of being assessed if the assessment takes place under **the Immediate Guidance or Supervision** of a lecturer, supervisor, tutor or other appropriate provider of education or training”*.

Due to the NALP Level 3 Qualification in Paralegal Practice being predominantly distance learning based, the average Learner will not undertake any Guided Learning which meets the Ofqual description as they will not be under any form of *“**Immediate Guidance or Supervision**”*, although they will normally have the support of their Centre should they require it. Therefore, all of the time an average Learner will take to gain a NALP Level 3 Qualification in Paralegal Practice will be from other, non-guided areas, such as self-study; completion of assignments for assessment purposes; and coursework. For this reason, no Guided Learning Hours have been allocated to these qualifications or the underlying units.

The following is a summary of the units underpinning the NALP Level 3 Paralegal Practice qualifications with their respective Total Qualification Time (TQT). The TQT represents the total time an average Learner might spend studying for each unit and how long the assignment for each unit might take, together with the total TQT for each unit:

Unit	Title	Study Time	Assignment	Total TQT
30	Introduction to Law for Paralegals	62	32	94
31	Legal Ethics and Responsibilities for Paralegals	24	21	45
32	Wills and Succession for Paralegals	12	23	35
33	Civil Litigation for Paralegals	31	24	55
34	Criminal Litigation for Paralegals	25	39	64
35	Commercial Law for Paralegals	40	38	78
36	Conveyancing for Paralegals	22	24	46

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37	Employment Practice for Paralegals	21	26	47
38	Consumer Rights and Remedies for Paralegals	27	24	51

The total hours a Learner may spend on achieving each qualification is dependent on which optional units they choose to study. For instance, a Learner who decides to study for the NALP Level 3 Award in Paralegal Practice and who chooses the Wills and Probate for Paralegals unit in addition to the mandatory unit on Introduction to Law for Paralegals would be likely to need to study for a total of 129 hours, whereas if they chose Commercial Law for Paralegals, they would likely study for a total of 172 hours. Whichever units a Learner chooses to study, they must ensure that they meet the Rules of Combination set out in Section 2.4 above.

8. Learning Materials and Support

The NALP Level 3 in Paralegal Practice qualifications are designed for Learners to study at their own pace on a distance-learning basis. Learners are provided with Course Workbooks, and an Assignment Guide. In addition, if they have any specific queries or concerns they are able to contact their training Centre who will provide them with suitable support.

9. Assessment

9.1. Assessment Methodology and Time Restrictions

Each unit is assessed by one written assignment for the learner to complete over a four-week period.

In order to achieve the desired Qualification a learner must have completed and achieved the required pass mark for all units within a set timeframe of enrolment on the chosen level qualification, as follows:

Qualification	Maximum Timeframe for Completion
NALP Level 3 Award in Paralegal Practice	12 Months
NALP Level 3 Certificate in Paralegal Practice	24 Months
NALP Level 3 Diploma in Paralegal Practice	24 Months

Whilst the above are the maximum timeframes, it is normal for a learner to have completed their studies within 3-12 months, depending on the qualification chosen.

If a learner fails to complete all necessary units within this timeframe they will be required to re-enrol, including payment of new enrolment fees. If they have passed some of the required units,

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these may or may not be considered under the criteria for Recognition of Prior Learning, dependent on any changes to English Law that may have occurred during the time since the original enrolment. Please see Section 5 above and refer to the NALP website for more details at: <https://www.nationalparalegals.co.uk/exemptions-for-prior-learning>.

9.2. Availability of Sample Assessments

Sample Level 3 assignment questions can be found on the website here: https://www.nationalparalegals.co.uk/level_3_qualifications

9.3. Marking the Assessment

All assessments are externally marked by NALP's examining team against a standard marking scheme. The examiners also carry out additional checks to ensure that the work submitted by the Learner is authentic and has been completed by that Learner.

Unit assignments are graded pass, refer or re-sit. A pass is achieved when a Learner gains 45% or above and has passed all the Learning Outcomes. A refer is when the Learner has gained 45% or above but has failed 1 or more Learning Outcomes. If this occurs then, the Learner will be advised which questions in the assignment will need to be re-done and will have two weeks to re-do these. A re-sit is when the Learner has failed to achieve 45% and will therefore be required to re-sit another assignment and will have a further four-week period in which to do so.

9.4. Reasonable Adjustments and Special Considerations

All requests for reasonable adjustments must be received prior to the assessment taking place. These will then be considered by the examination team prior to the assignments being assessed.

Requests for special considerations may be considered at or after the time of the assessment.

All requests for reasonable adjustments and special considerations will be considered in line with the NALP Reasonable Adjustments and Special Considerations Policy, a copy of which is available on the NALP website:

https://www.nationalparalegals.co.uk/nalp_policies_procedures.

9.5. Appeals

Should a learner disagree with an assessment decision, this will be handled under the NALP Appeals Policy, a copy of which is available at:

https://www.nationalparalegals.co.uk/nalp_policies_procedures.

Learners should note that appeals are not allowed on the sole basis of disagreement with an academic judgment made by an assessor.

10. Quality Assurance and Moderation

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As all assessments are marked externally by NALP (i.e. the Centres do not mark their Learners' papers), a Quality Assurance and Moderation Policy covering all assessment results has been put into place. This aims to ensure that all assessments have been marked in line with the standard mark scheme, that all members of the examining team are fully trained and that sufficient standardisation of results is undertaken.

A copy of the Quality Assurance and Moderation Policy is available on the NALP website at: http://www.nationalparalegals.co.uk/nalp_policies_procedures

11. Award and Publication of Results

Once assessments have been marked they are checked against the Rules of Combination to ensure that the Learner has met all criteria. Once that has been confirmed, Unit Certificates are issued for the individual units achieved and, if the Learner has successfully attained the full qualification, a full Qualification Certificate will also be issued. NALP aims to issue all certificates within three weeks of completion of an appropriate rule of combination.

Replacement certificates can be provided by completing the relevant form and paying the fee of £25. The form is available from the website and you can pay the fee via the website also: <http://www.nationalparalegals.co.uk/replacement-certificate-application-form>

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12. Units for the Qualifications**

NALP Unit Ref:	30	Ofqual Unit Ref:	R/504/6032
Unit Name:	An Introduction to Law for Paralegals		
Aim of Unit:	<p>The aim of the unit is to provide the learner with detailed knowledge of the legal system in England and Wales and the general legal principles of Contract and Tort law. In understanding the law making process; the court structure; the roles of key legal personnel and methods of dispute resolution, the learner will be ready to progress onto a higher level of learning in related substantive law areas. The learner will understand the roles that can be played by Paralegals in law firms; private companies; local authorities and as a freelance paralegal. In addition, it will provide legal knowledge on dispute resolution and will enable the learner to use and interpret legal language. The skills developed by the learner include: the ability to identify and use factual, procedural and theoretical understanding to complete tasks and address well defined but complex or non-routine issues; time management to include taking responsibility for initiating and completing tasks; the ability to exercise autonomy and judgement within a given scenario; the ability to use and interpret legal language.</p>		
Learning Outcomes		Assessment Criteria	
1. A thorough understanding of the nature and classification of law in England and Wales		1.1 Describe in detail the nature and purpose of law 1.2 Demonstrate an understanding of the classification of law 1.3 Understand the court hierarchy 1.4 Explain the roles of key legal personnel relevantly and accurately 1.5 Evaluate the influence of EU Law in the UK	
2. A detailed knowledge of how law is made		2.1 A detailed knowledge of the role of The Executive; The Legislative and the Judiciary 2.2 Explain how an Act of Parliament is created 2.3 A detailed knowledge of the rules of statutory interpretation 2.4 Identify and evaluate case law precedent as a source of law	
3. Knowledge and application of understanding of the general legal principles of contract and tort law		3.1 Apply detailed knowledge of the legal requirements for a legally binding agreement 3.2 Identify and evaluate who can enforce an agreement 3.3 Know how terms can be incorporated expressly or impliedly into contracts and their effect	

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	<p>3.4 Identify and apply the remedies that are available for a breach of contract in a given scenario</p> <p>3.5 Explain what a Tort is and the concept of negligence</p> <p>3.6 Explain and apply knowledge of the current law and tests to establish a duty of care in a given scenario</p> <p>3.7 Apply knowledge of the requirements to establish a breach of duty of care</p> <p>3.8 Apply understanding of the principles of vicarious liability</p> <p>3.9 Identify and explain the defences for Tort</p>
4. Knowledge and ability to evaluate the methods of dispute resolution	<p>4.1 Know and explain the methods of alternate dispute resolution</p> <p>4.2 Evaluate the advantages and disadvantages of the various methods of ADR in different contexts</p>

NALP Unit Ref:	31	Ofqual Unit Ref:	Y/504/6033
Unit Name:	Legal Ethics and Responsibilities for Paralegals		
Aim of Unit:	The aim of this unit is to provide the learner with the knowledge to understand their responsibilities in relation to client care. In understanding the methods of appropriate professional conduct; the learner will be ready to apply client care to any given situation. This is a course for learners commencing or aspiring to commence a career in Paralegal Practice and those who work in the legal environment. The learner will understand the situations where Paralegals need to act professionally and ethically.		
Learning Outcomes		Assessment Criteria	
1. Demonstrate a thorough understanding of the professional and ethical responsibilities Paralegals have to the client		<p>1.1 Demonstrate a thorough understanding of the requirements of confidentiality and disclosure</p> <p>1.2 Explain the requirement to act impartially</p> <p>1.3 Explain the different ways a case may be funded</p> <p>1.4 Explain the money laundering provisions that affect a client relationship</p> <p>1.5 Identify and have a thorough understanding of possible conflicts of interest</p> <p>1.6 Understand how client money should be handled</p>	

	<p>1.7 Know and evaluate the requirements of the NALP code of ethics</p> <p>1.8 Identify the resources, skills and procedures to carry out your clients' instructions</p>
<p>2. Know how to conduct a client interview effectively and efficiently</p>	<p>2.1 Apply a thorough understanding of how to take instructions, having proper regard to your client's situation</p> <p>2.2 Understand the key stages of a client interview for law firms; the self-employed; private companies and local authorities</p> <p>2.3 Know whether and by whom the services you provide are regulated and how this affects the protections available to the client;</p> <p>2.4 Know and apply relevant law and ethical practice in how to deal with vulnerable clients</p> <p>2.5 Demonstrate a thorough understanding of how to respond to client's queries in a given scenario</p> <p>2.6 Draft an accurate attendance note</p>
<p>3. Know and be able to apply the professional requirements of drafting client communications</p>	<p>3.1 Draft a client care letter following appropriate conventions</p> <p>3.2 Demonstrate knowledge of the appropriate complaints procedure available to clients including the Legal Ombudsmen</p> <p>3.3 Accurately and effectively draft and respond appropriately to e mail communications</p> <p>3.4 Explain how to deal with telephone enquiries</p> <p>3.5 Identify and evaluate the requirement for accurate record keeping including time recording for billing or time management</p>
<p>4. Understand the professional and ethical relationship with third parties</p>	<p>4.1 Identify and explain the information that can and cannot be shared with third parties</p> <p>4.2 Describe the basic principles of the Data Protection Act</p>

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NALP Unit Ref:	32	Ofqual Unit Ref:	H/504/6035
Unit Name:	Wills and Succession for Paralegals		
Aim of Unit:	The aim of this unit is to provide the learner with the knowledge to understand the operation of wills and succession. In understanding the procedure and practice of Wills and Succession, the learner will be able to effectively assist in Wills and Succession matters in a solicitor's firm, a paralegal firm or other alternative business structure. In particular, the role of the Paralegal in taking effective instructions will be particularly useful in the work place. This unit enables progression on to the NALP Level 4 Wills and Succession Unit, for those learners who wish to offer services in this area of law.		
Learning Outcomes		Assessment Criteria	
1. Demonstrate a thorough understanding of the formalities of a valid will in English Law		1.1 Explain the formal requirements for the creation of a will/codicil 1.2 Explain the requirements of capacity and intention 1.3 Apply an understanding of the formalities to a given scenario	
2. Identify and describe the main elements of drafting a will and use legal terminology appropriately		2.1 Describe the information that is required by a Paralegal when taking instructions for the creation of a will 2.2 Explain the form and content of a simple will 2.3 Explain how a will is executed 2.4 Apply understanding of the will drafting process to a given scenario using correct legal terminology	
3. Know the legal principles of revocation or alteration of a will or codicil		3.1 Explain the effects of alterations to a will/codicil 3.2 Explain how a will may be revoked 3.3 Apply an understanding of alteration and revocation to a will to a given scenario	
4. Understand the law relating to testamentary dispositions and their effect		4.1 Describe the nature of devises 4.2 Explain the different types of legacies 4.3 Explain how gifts in a will may fail 4.4 Apply an understanding to how a gift might fail in a given scenario	
		5.1 Describe intestacy and partial intestacy	

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5. Understand the operation of the statutory rules of Intestacy	5.2 Explain the order of distribution of beneficial entitlement on intestacy
	5.3 Apply an understanding to the intestacy rules in a given scenario
6. Understand the role and powers of Personal Representatives	6.1 Explain the role and powers of Personal Representatives
	6.2 Apply an understanding of the role and powers to a given scenario
7. Understand the law in relation to grants of representation	7.1 Explain the different types and use of grants of representation
	7.2 Apply an understanding of grants of representation to a given scenario
8. Understand the provisions of the Inheritance (Provision for Family and Dependants Act) 1975 in respect of claims under the terms of a will and under the intestacy rules	8.1 Explain the classes of person who can make a claim under the Inheritance (Provision for Family Act) 1975
	8.2 Apply an understanding of the effect of a successful claim to a given scenario

NALP Unit Ref:	33	Ofqual Unit Ref:	T/504/6038
Unit Name:	Civil Litigation for Paralegals		
Aim of Unit:	The aim of this unit is to provide the learner with the knowledge to understand how the process of civil litigation is conducted using the areas of debt recovery, personal injury, consumer law and family law (in relation to mediation and ADR) as illustrations. In understanding how civil actions are commenced, funded and defended, the learner will be able to effectively assist in civil litigation cases in practice or provide services within legal departments involved in litigation.		
Learning Outcomes		Assessment Criteria	
1. Thoroughly understand the concept and scope of civil litigation in England and Wales		1.1 Explain the hierarchy of the civil court structure in England and Wales 1.2 Apply an understanding of the scope of civil litigation in England and Wales to a given scenario 1.3 Analyse the role of the Paralegal in differing circumstances 1.4 Identify, describe and evaluate the key aspects of the Civil Procedure Rules	

	<p>1.5 Identify and evaluate the different methods of Alternate Dispute Resolution</p> <p>1.6 Explain how a court decides on the allocation of track for an action</p>
2. Identify and explain how civil actions can be funded	<p>2.1 Understand the funding mechanisms that are available for your client</p> <p>2.2 Understand how costs are accrued in a civil litigation action</p> <p>2.3 Apply an understanding of funding to a given scenario</p>
3. Know how to commence and defend a civil action and apply that knowledge to a given scenario	<p>3.1 Explain how a civil action is commenced</p> <p>3.2 Explain the options available to a defendant once an action has been initiated, including to admit (partially or fully), to counterclaim and defend</p> <p>3.3 Explain the steps in a civil litigation process</p> <p>3.4 Apply an understanding of the civil litigation process and rules to a set of given facts</p>
4. Demonstrate a thorough understanding of how to prepare for a trial	<p>4.1 Understand the documents required to prepare a trial bundle</p> <p>4.2 Understand what Directions are</p> <p>4.3 Explain the concept of Disclosure</p> <p>4.4 Examine the situations where an interim application may be necessary and apply to a given scenario</p> <p>4.5 Explain the role of expert witnesses and when witness summonses may be necessary</p> <p>4.6 Explain the process and purpose of the pre-trial review</p> <p>4.7 Apply an understanding of the pre-trial process to a given scenario</p>
5. Demonstrate a thorough understanding of the procedures post trial	<p>5.1 Explain the general principles of costs and how costs are awarded</p> <p>5.2 Explain the remedies available to the claimant</p> <p>5.3 Explain how the winning party can bring enforcement proceedings after judgment</p>

	5.4 Demonstrate an understanding of a trial and its outcomes based on a set of given facts
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NALP Unit Ref:	34	Ofqual Unit Ref:	T/504/6041
Unit Name:	Criminal Litigation for Paralegals		
Aim of Unit:	<p>The aim of the unit is to provide the learner with detailed knowledge of key aspects of criminal litigation. The learner will understand the criminal litigation procedure in the Magistrates’ Court and the Crown Court from arrest to trial. In addition the learner will know the funding mechanisms available for criminal litigation matters. The learner will also understand the professional conduct requirements when dealing with criminal litigation, and the role of a Paralegal in this area of law. The skills developed by the learner include: the ability to identify and use factual, procedural and theoretical understanding to complete tasks and address well-defined but complex or non-routine issues; time management to include taking responsibility for initiating and completing tasks; the ability to exercise autonomy and judgement within a given scenario; the ability to use and interpret legal language.</p>		
Learning Outcomes		Assessment Criteria	
1. Understand police powers in the investigation and detection of crime		1.1 Demonstrate an understanding of a lawful arrest 1.2 Describe the rules in relation to the powers of stop and search 1.3 Explain the requirements for the detention and interrogation of suspects under PACE 1984 1.4 Explain the general right to bail and the grounds for refusal 1.5 Describe the requirements of PACE and the consequences of a breach in a given scenario 1.6 Explain a suspect’s right to remain silent at the police station and its possible effect 1.7 Describe the identification procedures and how this may affect a suspect in a given scenario	
2. Demonstrate an understanding of the principles of professional conduct in criminal litigation		2.1 Evaluate the role of a Paralegal in criminal litigation 2.2 Explain the duties owed to the client 2.3 Explain the duties owed to the court	

	<p>2.4 Explain the duties owed when interviewing witnesses</p> <p>2.5 Explain the overarching duty of confidentiality</p> <p>2.6 Apply knowledge of professional conduct to a given scenario</p>
<p>3. Know in detail the classification of criminal offences and the criminal procedure that flows from each</p>	<p>3.1 Describe how offences are classified</p> <p>3.2 Identify and describe the 4 classes of Indictable offences</p> <p>3.3 Describe the criminal procedure for a summary offence</p> <p>3.4 Describe the criminal procedure for an either-way offence</p> <p>3.5 Explain the criminal procedure for an indictable only offence</p> <p>3.6 Identify and apply understanding of the correct criminal procedure in a given scenario</p>
<p>4. Identify and describe the functions and jurisdiction of the Magistrates' Court and the Crown Court</p>	<p>4.1 Describe the main functions of the Magistrates' Court</p> <p>4.2 Describe the main functions of the Crown Court</p> <p>4.3 Identify the appropriate court for criminal proceedings in a given scenario</p> <p>4.4 Explain how appeals can be made from the Magistrates' Court and the Crown Court</p>
<p>5. Thoroughly understand the mode of trial proceedings</p>	<p>5.1 Describe the mode of trial procedure</p> <p>5.2 Explain how Magistrates' decide on the mode of trial</p> <p>5.3 Explain the potential advantages and disadvantages of a defendant choosing a trial by jury or a trial by Magistrates' in a given scenario</p>
<p>6. Understand the pre-trial function and procedures for the disclosure of evidence</p>	<p>6.1 Explain the purpose of pre-trial disclosure of evidence in either-way offences</p> <p>6.2 Describe the disclosure obligations of the police</p> <p>6.3 Describe the disclosure obligations of the CPS</p> <p>6.4 Describe the obligation of the defence to make pre-trial disclosure of evidence</p>

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7. Understand the scope of funding for criminal matters	7.1 Explain the public funding available for advice and assistance and the criteria that must be met
	7.2 Explain the public funding available for representation and the criteria that must be met
	7.3 Summarise the differences between means testing in the Magistrates' Court and the Crown Court
	7.4 Explain the scope of the duty solicitor scheme
8. Understand the sentencing process	8.1 Describe the basis for sentencing under the CJA 2003
	8.2 Identify and describe the sanctions that can be imposed at sentencing
	8.3 Describe the issues the court will consider when deciding on a sentence
	8.4 Describe the constraints on sentencing that exist in the Magistrates' Court
	8.5 Apply knowledge of the procedure of sentencing in a given scenario

NALP Unit Ref:	35	Ofqual Unit Ref:	K/504/6036
Unit Name:	Commercial Law for Paralegals		
Aim of Unit:	<p>The aim of the unit is to provide the learner with detailed knowledge of aspects of commercial law. The learner will understand the business mediums of companies and partnerships and will be able to identify the appropriate business medium in given scenarios. The learner will understand the scope of commercial contracts and have a detailed knowledge of contract law. The learner will analyse the concept of confidential information and how to protect it. The learner will understand the concept and scope of intellectual property and the need for businesses to protect their rights. The skills developed by the learner include: the ability to identify and use factual, procedural and theoretical understanding to complete tasks and address well defined but complex or non-routine issues; time management to include taking responsibility for initiating and completing tasks; the ability to exercise autonomy and judgement within a given scenario; the ability to use and interpret legal language.</p>		
Learning Outcomes		Assessment Criteria	

<p>1. Understand the formation and principles of a Company</p>	<p>1.1 Describe characteristics of a company</p> <p>1.2 Explain the advantages and disadvantages of forming a company in a given scenario</p> <p>1.3 Explain the rules in relation to Directors</p> <p>1.4 Describe the purpose and content of a memorandum of association.</p> <p>1.5 Describe the purpose and content of articles of association</p> <p>1.6 Describe the process of incorporation for private and public companies</p> <p>1.7 Give advice to a client regarding the principles and formation of a Company in a given scenario</p>
<p>2. Understand the formation and principles of a Partnership</p>	<p>2.1 Describe the legal consequences between trading as a partnership and a Limited Liability Partnership</p> <p>2.2 Explain the extent to which Partners or members of Limited Liability Partnerships are agents of each other and are liable for each other's torts</p> <p>2.3 Apply knowledge of the principles and formation of a Partnership in a given scenario</p>
<p>3. Thoroughly understand the formation and terms of a contract</p>	<p>3.1 Describe the requirements for a legally binding contract</p> <p>3.2 Describe the difference between express and implied terms</p> <p>3.3 Describe the difference between conditions and warranties and innominate terms</p> <p>3.4 Describe the terms implied by the Sale of Goods Act 1979 and associated statutes</p> <p>3.5 Explain the extent to which exclusion clauses can exclude or restrict contractual liability</p> <p>3.6 Apply knowledge of the formation and terms of a contract to a given scenario</p>
<p>4. Understand vitiating factors that affect a contract</p>	<p>4.1 Explain the principles and effect of Misrepresentation</p> <p>4.2 Explain the principles and effect of Mistake</p> <p>4.3 Explain the concept and effect of duress</p>

	<p>4.4 Explain the principles and effect of illegality</p> <p>4.5 Explain the principles and effect of undue influence</p> <p>4.6 Give advice to a client of the effect of vitiating factors on a contract</p>
<p>5. Understand how a contract may be discharged and the remedies that are available</p>	<p>5.1 Explain the ways a contract may be discharged</p> <p>5.2 Identify whether a contract has been discharged in a given scenario</p> <p>5.3 Explain the common law remedies for a breach of contract</p> <p>5.4 Explain the potential equitable remedies for a breach of contract</p> <p>5.5 Identify possible remedies in a given scenario in order to advise a client</p>
<p>6. Identify and understand the concept of confidential information and how to protect it</p>	<p>6.1 Demonstrate an understanding of situations when information may be imparted in confidence</p> <p>6.2 Demonstrate an understanding of the types of information that may be confidential in a given scenario</p> <p>6.3 Describe the scope and purpose of a Confidentiality Disclosure Agreement (CDA)</p> <p>6.4 Identify and describe the preliminary information required to enable a CDA to be drafted</p> <p>6.5 Describe the remedies and defences available for a breach of confidence</p> <p>6.6 Apply knowledge in advising a client in given scenario</p>
<p>7. Understand the scope of Intellectual Property in commercial matters</p>	<p>7.1 Explain the nature of Intellectual Property in commercial matters</p> <p>7.2 Describe the scope of Patents</p> <p>7.3 Describe the scope of Copyright and Designs</p> <p>7.4 Describe the scope of Trade Marks</p> <p>7.5 Apply knowledge of Intellectual Property to a given scenario</p>

NALP Unit Ref:	36	Ofqual Unit Ref:	A/504/6039
Unit Name:	Conveyancing for Paralegals		
Aim of Unit:	The aim of the unit is to provide the learner with detailed knowledge of the conveyancing procedure. The learner will understand the conveyancing process in England and Wales and be able to apply that knowledge to given scenarios. In particular, the learner will understand the role of the Paralegal in taking instructions from clients and matters relating to the client interview. The skills developed by the learner include: the ability to identify and use factual, procedural and theoretical understanding to complete tasks and address well defined but complex or non-routine issues; time management to include taking responsibility for initiating and completing tasks; the ability to exercise autonomy and judgement within a given scenario; the ability to use and interpret legal language.		
Learning Outcomes		Assessment Criteria	
1. Understand the difference between registered and unregistered land		1.1 Identify and describe the differences between registered and unregistered land 1.2 Explain the main differences between registered and unregistered conveyancing	
2. Understand how to take standard instructions on the sale and purchase of land and the initial matters that need to be dealt with at the client interview		2.1 Explain the differences between a joint tenancy and a tenancy in common 2.2 Explain the need for and the different types of survey prior to purchasing property 2.3 Explain the requirement to pay stamp duty land tax 2.4 Describe and apply client care procedures to a given scenario 2.5 Demonstrate a thorough understanding of aspects of professional conduct	
3. Know the steps of the conveyancing process pre-contract		3.1 Explain the steps to be taken in order to draft a contract for sale 3.2 Describe the procedures for making pre-contract searches 3.3 Describe the procedures for making pre-contract enquiries 3.4 Explain the requirements for a valid contract 3.5 Demonstrate the use of pre-contract processes to a given scenario	
4. Know the procedure for exchange of contracts		4.1 Explain when contracts can be exchanged 4.2 Explain the effect of a binding contract	

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	4.3 Explain the methods of exchange
	4.4 Apply knowledge of the procedure for exchange of contracts to a given scenario
5. Understand how to complete a conveyancing transaction	5.1 Identify and describe pre-completion searches 5.2 Describe the contents and purpose of a pre-completion checklist 5.3 Demonstrate an understanding of the purpose and content of a completion statement
6. Understand post-completion matters	6.1 Explain how the mortgage is discharged 6.2 Explain the thresholds for SDLT 6.3 Explain the procedure for discharging SDLT 6.4 Describe how to register the transfer of Title 6.5 Demonstrate the use of post completion matters to a given scenario

NALP Unit Ref:	37	Ofqual Unit Ref:	A/504/6039
Unit Name:	Employment Law and Practice for Paralegals		
Aim of Unit:	The aim of this unit is to provide the learner with detailed knowledge of employment law and practice. In understanding the contractual relationship and wider scope of employment law; the learner will develop skills to apply the law in practical situations. This is a course for learners commencing or aspiring to commence a career in Paralegal Practice and those who work in a legal environment. The learner will understand the situations where Paralegals can play a role in employment practice; employment and HR departments and in employment advisory services.		
Learning Outcomes		Assessment Criteria	
1. Know and evaluate the difference between employees and other types of workers.		1.1 Define an employee 1.2 Know, evaluate and apply the tests to distinguish between an employee and a self-employed worker 1.3 Comprehensively describe the contractual relationship between employer and employee 1.4 Explain how statute and common law govern an employment contract	

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<p>2. Know and evaluate the difference between employees and other types of workers.</p>	<p>2.1 Describe thoroughly the main terms in a written particulars of employment</p> <p>2.2 Understand the requirement that the employer must provide a S1 statement to an employee</p>
<p>3. Know and apply understanding of how employment may be terminated.</p>	<p>3.1 Explain how employment may be terminated by mutual agreement</p> <p>3.2 Explain dismissal at common law</p> <p>3.3 Evaluate whether an employment has been terminated in a given set of facts</p>
<p>4. Demonstrate a detailed knowledge of the principles and practice of unfair dismissal, wrongful dismissal and redundancy.</p>	<p>4.1 Explain the requirement of a termination for a wrongful dismissal claim</p> <p>4.2 Know the remedies for wrongful dismissal</p> <p>4.3 Describe and apply the requirements to establish a claim for an unfair dismissal</p> <p>4.4 Know the potentially fair reasons for dismissal</p> <p>4.5 Describe the importance of an employer following the correct procedure and acting fairly</p> <p>4.6 Identify the court or tribunal where an employment case may be heard and potential remedies available</p> <p>4.7 Explain the contents and use of an ET1 in commencing an employment claim</p> <p>4.8 Explain the three circumstances where a redundancy can occur</p> <p>4.9 Demonstrate a thorough understanding of the steps to be taken in a fair redundancy procedure</p> <p>4.10 Know and apply the remedy of redundancy payments to a given scenario</p>
<p>5. Know in detail employees' rights and entitlements under statute and common law.</p>	<p>5.1 Explain the right of an employee to request flexible working</p> <p>5.2 Describe relevantly and accurately the entitlement to paternity and adoption leave and pay in a given scenario</p> <p>5.3 Explain the right to maternity leave and pay</p>

	<p>5.4 Explain the right to time off and unpaid leave for dependants</p> <p>5.5 Explain how an employee may claim harassment under the Equality Act 2010</p> <p>5.6 Understand the difference between direct and indirect discrimination</p> <p>5.7 Know in detail the protection against discrimination to disabled people provided by statute</p>
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NALP Ref:	Unit	38	Ofqual Unit Ref:	T/505/5919
Unit Name:	Consumer Rights and Remedies for Paralegals			
Aim of Unit:	<p>The aim of the unit is to provide the learner with detailed knowledge of key consumer legislation in England and Wales and the practice of providing initial consumer advice. In understanding consumer law and the procedure for providing initial consumer advice, the learner will be ready to progress onto a higher level of learning in related substantive law areas. The learner will understand the roles that can be played by Paralegals in consumer advice centres, law firms; private companies; local authorities and as a freelance paralegal. In addition, it will provide legal knowledge on dispute resolution and will enable the learner to use and interpret legal language. The skills developed by the learner include: the ability to identify and use factual, procedural and theoretical understanding to complete tasks and address well defined but complex or non-routine issues; time management to include taking responsibility for initiating and completing tasks; the ability to exercise autonomy and judgement within a given scenario; the ability to use and interpret legal language.</p>			
Learning Outcomes		Assessment Criteria		
<p>1. An ability to Identify a client’s needs and know how and when to refer a matter to a senior or specialist adviser</p>		<p>1.1 Explain why it is important to establish the client’s needs</p> <p>1.2 Explain how to research resources and information to advise on a matter</p> <p>1.3 Analyse client information to be able to define the client’s needs</p> <p>1.4 Evaluate why it is important to work within your range of competency</p> <p>1.5 Identify and explain when to refer a matter to a senior or specialist adviser</p> <p>1.6 Confirm client needs and expectations with the client</p>		

<p>2. A thorough understanding of the nature of consumer law and practice in England and Wales</p>	<p>2.1 Summarise the key legal principles that protect consumers where goods or services are supplied</p> <p>2.2 Explain the statutory rights available to clients under consumer and contract law</p> <p>2.3 Explain the main provisions of Sale of Goods Act 1979 and the Supply of Goods and Services Act 1982 and summarise how these have been affected by the Consumer Rights Act 2015</p> <p>2.4 Summarise the Consumer Protection (Distance Selling) Regulations 2000</p> <p>2.5 Analyse how the Consumer Credit Act 1974 affects consumers</p> <p>2.6 Explain how consumers are protected under the provisions of the Consumer Rights Act 2015 with reference to the Unfair Terms in Consumer Contracts Regulations 1999 and the Consumer Protection from Unfair Trading Regulations 2008</p> <p>2.7 Explain the main provisions that protect consumers under the Payment Services Regulations 2009</p>
<p>3. A detailed knowledge of the remedies available to the consumer for a breach of consumer law and the range of sanctions</p>	<p>3.1 Explain the statutory remedies available to clients under consumer and contract law</p> <p>3.2 Explain the cancellation rights available to clients for contracts entered into under differing trading practices</p> <p>3.3 Summarise the main provisions of alternate dispute resolution and arbitration and the time-limits</p> <p>3.4 Explain the process and procedure of bringing a claim in the county court</p> <p>3.5 Understand how unfair trading practices can be challenged</p>
<p>4. An ability to provide initial advice appropriate to the client's needs</p>	<p>4.1 Explain the role of consumer organisations and how they can support consumers</p> <p>4.2 Analyse the range of legal advice that can be provided to the client</p> <p>4.3 Advise the client of the options available to them</p> <p>4.4 Explain how you would check the clients understanding</p> <p>4.5 Summarise how you would agree actions with the client</p> <p>4.6 Explain the need to record and store client information in accordance with legal and organisational requirements</p>

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