



University of the  
West of England

*Assessment Regulations*

**Graduate Diploma in Law**

**Version 1.0**  
**10 December 2012**

**List of changes made:**

<b>Version</b>	<b>Change</b>	<b>Date Approved/Approving Authority</b>
1.0	Variant regulations approved / noted by Academic Board.	19/12/12 / Academic Board
	<p>Amended to bring update terminology for 2012/13.</p> <p>8 Correction to 'Bristol Law School'</p> <p>9 Correction to 'Dean or Associate Dean of the Faculty of Business and Law or their respective nominee'</p> <p>10 Correction to 'Faculty Academic Standards and Quality Committee'</p> <p>11 b) Correction to 'Academic Standards and Quality Committee';</p> <p>11 i) Correction to 'Diploma Course Management team'</p> <p>11 j) Correction to 'Academic Standards and Quality Committee'</p>	

## Appendix B3: CPE Assessment Regulations

### Interpretation

1. In these Regulations:

“the University” means the University of the West of England or its successor institution;

“the Diploma Course” means the course validated by the University for the award of its Graduate Diploma in Law and by the Joint Academic Stage Board for the purposes of satisfying the Training Regulations of the Law Society (Solicitors Regulation Authority) and the General Council of the Bar for the completion of the Academic Stage of Training;

“the Examining Board” means the Examining Board established as provided by Clause 5 of these Regulations;

“the Foundation Subjects” means

- |                                 |            |      |
|---------------------------------|------------|------|
| ▫ Obligations I                 | (Contract) | (CT) |
| ▫ Obligations II                | (Tort)     | (TT) |
| ▫ Criminal Law                  |            | (CL) |
| ▫ Equity and the Law of Trusts  |            | (ET) |
| ▫ Property Law                  |            | (LL) |
| ▫ Public Law                    |            | (PL) |
| ▫ The Law of the European Union |            | (EU) |

“the Other Assessed Subjects” means

- |                                |       |
|--------------------------------|-------|
| ▫ English Legal System         | (LS)  |
| ▫ Independent Research Project | (IRP) |

“compensation” denotes those circumstances in which a student may be permitted to make good a marginal failure in one element of assessment by virtue of having "surplus" marks in another element of assessment. **Such compensation is available once only in the assessment of a student under these Regulations**

“condonation” denotes those circumstances in which a failure to achieve the pass mark in an element of assessment, or a subject, is condoned (overlooked) in the light of other factors affecting the student in question or by reference to their overall pattern of assessment marks. **Such condonation of failure is not permitted under these Regulations**

“teaching block” refers to the scheduled period of weeks within which a given subject is studied. For all students there are two teaching blocks. For the Full-time students, the academic year comprises two separate teaching blocks and for the Part-time Distance Learning students, each teaching block comprises one whole academic year.

“element of assessment” refers to summative assessment only in a subject, which can take the form of either assessed coursework or unseen written examination, or a combination of both.

2. The provisions of the Interpretation Act 1978 apply to these Regulations.

### **Conditions of Enrolment**

3. An applicant who has satisfied the general requirements for admission to the Diploma Course shall not be enrolled as a student upon the Course unless:
  - (a) the prescribed Preliminary Directed Study Course has been undertaken;and
  - (b) the applicant has a sufficient command of written and spoken English to follow the Diploma Course.

### **Part-time Diploma Course: progression from first to second year**

- 4 A student taking the Part-time Distance Learning Course may not proceed to the second year of that course until all subjects required to be taken in the first year of the course have been passed within these Regulations.

### **Time limits for Completion of the Diploma Course**

- 5 A student must complete the Diploma Course
  - (a) within three years of initial enrolment if on the Full-time Course; or
  - (b) within four years of initial enrolment if on the Part-time Distance Learning Course.

### **Assessment offences**

- 6 The procedure for dealing with assessment offences shall be as laid down in the University's Regulations. A student who is proved to have committed an assessment offence will be reported to the Joint Academic Stage Board.

### **Method of Assessment**

- 7
  - (a) Students on the Diploma Course will be assessed in accordance with these Regulations, which have been approved by both the University and the Joint Academic Stage Board
  - (b) The results of students, who have been so assessed, are determined by the Examining Board.

### **Examining Board**

- 8 The Examining Board consists of:
  - (a) the Head of the Faculty of Business and Law (or nominated Deputy);
  - (b) the Head of BILP;
  - (c) the Director of Full-time CPE Programmes;
  - (d) the Director of Part-time CPE Programmes,
  - (e) members of academic staff of the University with a substantial teaching input to the Diploma Course;
  - (f) the external examiners for the Diploma Course whose appointment has been approved by the Joint Academic Stage Board;
  - (g) any representative of the Joint Academic Stage Board appointed by that Board

The quorum for a meeting of the Examining Board shall be two thirds of the members eligible to attend. At meetings where results or student progress are to be determined at least one external examiner must be consulted.

A senior member of the Administrative Staff of the Bristol Law School as representative of the Academic Registrar shall act as secretary to the Examining Board when it considers candidates' progress or awards.

- 9 The Chair of the Examining Board is the Dean or Associate Dean of the Faculty of Business and Law or their respective nominee, who shall normally be the Director of BILP.
- 10 There must be at least two external examiners for the Diploma Course whose decision in relation to matters of assessment shall be final. An external examiner must receive and approve the draft examination papers for those subjects allocated to that examiner, and such assessed exercises and marked scripts for moderation as the Chair of the Examining Board determines or the external examiner requires. An external examiner shall also perform such other duties relating to assessment as may be required by the Academic Board of the University or the relevant Faculty Academic Standards and Quality Committee.
- 11 The terms of reference of the Examining Board are:
  - (a) to receive from the Diploma Course Director a report upon the outcome of applications for exemptions from any part of the Diploma Course;
  - (b) to approve procedures for the nomination of external examiners by the relevant Faculty Academic Standards and Quality Committee;
  - (c) to ensure all assessed coursework and examination papers are properly scrutinised and approved;
  - (d) to ensure all assessed coursework and written examinations are properly conducted;
  - (e) to ensure that all assessed coursework and examination scripts are properly assessed and marked;
  - (f) to make recommendations for the award on successful completion of the Diploma Course of the Graduate Diploma in Law and the award of such Diploma with Distinction or Merit;
  - (g) to determine what action shall be taken, in accordance with these Regulations, in the case of a candidate failing or missing part or all of the coursework, other formally assessed exercises and /or the written examinations, or otherwise failing to comply with the requirements of the Diploma Course;
  - (h) to determine, in accordance with University regulations, what action shall be taken in the case of a candidate found to have committed an assessment offence;
  - (i) to make recommendations to the Diploma Course Management team of the Diploma Course on any matters concerned with the assessment scheme;

- (j) to be responsible for such other matters as are referred to, or required of it by the Academic Board of the University or Faculty Academic Standards and Quality Committee or the Joint Academic Stage Board;
- (k) to act in accordance with any policy statements which may, from time to time, be issued by the Joint Academic Stage Board.

### **Assessment Requirements and Arrangements**

- 12 To complete the Diploma Course successfully a student must satisfy the Examining Board:
  - (a) in the assessed coursework in each of the Foundation Subjects in which there is an assessed coursework in the relevant academic year, which coursework shall constitute 25% of the overall assessment for each of those subjects; and
  - (b) in each of the Foundation Subjects in the unseen written examinations, which shall constitute either
    - (i) 75% of the overall assessment for each of those subjects in which there is an assessed coursework under (a) above, or
    - (ii) 100% of the assessment in those of the Foundation Subjects in which there is no such assessed coursework in the relevant academic year;and
  - (c) in the assessed coursework in the Other Assessed Subjects (ie ELS and IRP), in which a student will be assessed on a Pass/Fail basis only.
- 13 Unless otherwise determined by the Examining Board the first attempt at the assessments identified in Clause 12 (above) shall be undertaken as follows:
  - (a) for the assessed coursework in the Foundation Subjects in which there is an assessed coursework in the relevant academic year during those weeks in which the student is studying the relevant subject in accordance with the coursework assessment schedule determined by the Diploma Course Director and approved by the Examining Board;
  - (b) for the unseen written examinations in all the Foundation Subjects, at the end of the relevant teaching block in accordance with the examination schedule determined by the Diploma Course Director and approved by the Examining Board;
  - (c) for the assessed coursework in the Other Assessed Subjects at the end, or following completion, of the study of the subject concerned in accordance with the schedule determined by the Diploma Course Director and approved by the Examining Board.
- 14 The pass mark for all assessed coursework and unseen written examinations shall be 40% ("the prescribed pass mark").
- 15 A student passes the Diploma Course by:
  - (a) obtaining the prescribed pass mark in all assessed coursework and in each of the unseen written examinations in the Foundation Subjects; and

- (b) obtaining a pass in the assessed coursework in the Other Assessed Subjects.
  - (c) An aegrotat pass is not permitted on the CPE.
- 16 Compensation for narrow failure in one element of assessment only
- (a) A student may be compensated in one element of assessment in the Foundation Subjects at a mark lower than the prescribed pass mark, but not below 35%, on the basis of strength in other assessments.
  - (b) Compensation under these Regulations is available only in relation to one element of assessment on the Diploma Course.
  - (c) No condonation of failure in an element of assessment, or a subject, is permitted under these Regulations.
  - (d) No compensation is permitted under these Regulations if the candidate is taking fewer than the full diet of subjects, as a result of having a Certificate of Exemption.

### Successful Completion of the Graduate Diploma in Law

- 17 A student who passes the Diploma Course at the first, or other, attempt in accordance with these Regulations, shall be awarded the Graduate Diploma in Law. Only those students who successfully complete the Diploma Course at their first attempt can be considered for the award of Merit or Distinction.

A student taking fewer than the full diet of subjects is not eligible for the award of Graduate Diploma in Law. Such a candidate may complete the Academic Stage of Training by obtaining a pass in all relevant CPE subjects and will receive a credit transcript from the University.

- 18 A student **must** be awarded a **distinction** where
- (a) he/she has passed all elements of the assessments at the first attempt, without any subject being compensated, and
  - (b) he/she has obtained an overall average of at least 70%.
- 19 A student **may** be awarded a **distinction** where
- (a) he/she has passed all elements of the assessments at the first attempt, without any subject being compensated, and
  - (b) he/she has obtained an overall average of at least 70% in at least 50% of the subjects counting towards the final award, and
  - (c) he/she has obtained an overall average of at least 67%, and
  - (d) the Examining Board considers that it is not inappropriate to award a distinction
- 20 A student **must** be awarded a **merit** where
- (a) he/she has passed all assessment at the first attempt, without any subject being compensated, and
  - (b) he/she has obtained an overall average of at least 60% in the assessments

- 21 A student **may** be awarded a **merit** where
- (a) he/she has passed all elements of the assessment at the first attempt, without any subject being compensated, and
  - (b) he/she has obtained an overall average of at least 58%, and
  - (c) he/she has obtained an overall average of at least 60% in at least 50% of the subjects counting towards the final award, and
  - (d) the Examining Board considers that it is not inappropriate to award a merit.

**Failure at the first attempt**

- 22 (a) The maximum mark which may be awarded for any attempt at an element of assessment after the first, shall be the prescribed pass mark. Such prescribed pass mark (or, if lower, the mark actually awarded) shall be aggregated with the mark awarded for the other element of assessment, where appropriate, in accordance with the weighting prescribed in Clause 12 of these Regulations, to arrive at the overall mark for the subject.
- (b) Assessed coursework
- (i) A student will be expected to submit each piece of assessed coursework in the Foundation Subjects in which there is an assessed coursework in the relevant academic year and in the Other Assessed Subjects in accordance with the schedule published by the Diploma Course Director at the start of each teaching block.
  - (ii) A student who submits a piece of assessed coursework by the prescribed submission date but who is awarded a mark of less than the prescribed pass mark (which is not compensated under these Regulations) shall be required to submit a second piece of coursework by the specified resubmission date. The maximum mark which such second piece of coursework may be awarded shall be the prescribed pass mark.
  - (iii) A student who submits late or makes no submission will be awarded zero marks and required to submit a second piece of assessed coursework by the specified resubmission date. The maximum mark which such second piece of coursework may be awarded shall be the prescribed pass mark.
  - (iv) A student who resubmits late or makes no resubmission will be awarded zero marks.
  - (v) A student who, in the opinion of the Examining Board, is prevented by sufficient substantiated cause from submitting assessed coursework by the specified date may be allowed to submit an alternative piece of coursework for which the mark will not be capped at the prescribed pass mark as in (iii) above.
- (c) Unseen written examinations
- (i) A student who fails to obtain the prescribed pass mark (which is not compensated under these Regulations) in any of the unseen



written examinations in the Foundation Subjects may be permitted a second attempt. The maximum mark which can be achieved in any attempt after the first is the prescribed pass mark.

- (ii) A student who, in the opinion of the Examining Board, is prevented by sufficient substantiated extenuating circumstances from attempting all or any part of their first attempt at the unseen written examinations may be allowed to take an uncapped attempt at the unseen written examinations which were affected and failed.

#### **Failure at the second attempt**

- 23 (a) Unless the Examining Board otherwise determines, a student making a second attempt at an element of assessment under these Regulations, who fails to obtain the prescribed pass mark (which is not compensated under these Regulations) in the element of assessment may be permitted a third and final attempt at an element of assessment.
- (b) In deciding whether or not to permit a student a third attempt at an element of assessment, the Examining Board shall take into account the extent of the failure, the student's results in other Foundation Subjects, tutor's reports and any other relevant factors which may have affected the student's performance.

#### **Failure at the third attempt**

- 24 A student who, by virtue these Regulations, has been permitted a third attempt at an element of assessment and who fails to achieve the prescribed pass mark (which is not compensated under these Regulations) shall be regarded as having failed the Diploma course and shall not be permitted any further attempt at the Diploma course.

#### **Appeals**

- 25 An application for review of the decisions of the Examining Board shall only be made in accordance with the University's regulations relating to the review of decisions of Examining Boards.