

Legal Practice Course

Assessment Regulations

2014 / 2015 onwards

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Interpretation

1 In these Regulations:

“the Assessment Strategy” means the strategy of the University in relation to the Legal Practice Course Assessments (**currently as set out in Annex A**) determined in accordance with Regulation 2.5;

“the Examination Board” means the Examination Board established in accordance with Regulation 3;

“the Legal Practice Course” means the course validated by

- the Solicitors Regulation Authority, as meeting the requirements of its Training Regulations; and
- the University, leading to the award of Postgraduate Diploma Legal Practice;

“the Legal Practice Course Assessments” means the Stage One and Stage Two Assessments;

“the Legal Practice Course Outcomes” means the Outcomes for the Legal Practice Course as determined by the Solicitors Regulation Authority (**as set out in Annex D**);

“Permitted Materials” means those materials which a student may use in a particular Legal Practice Course Assessment, as determined from time to time by the Assessment Officer (**currently being those materials listed in Annex B**);

“the Same Period of Assessment” means a block of time given over to assessment and during which no teaching is scheduled to take place;

“the Solicitors Regulation Authority” means the professional body responsible for the validation, monitoring and review of Legal Practice Courses;

“Stage One of the Legal Practice Course (Stage One)” comprises the programme of teaching & learning in

- the “**Core Practice Areas**” - the subjects of Business Law & Practice, Property Law & Practice and Litigation;
- the “**Course Skills**” - the skills of Practical Legal Research, Writing, Drafting, Advocacy and Interviewing & Advising;
- “**Professional Conduct & Regulation**” - the subjects of Solicitors Accounts and Professional Conduct, Financial Services & Money Laundering;
- **Wills & Administration of Estates**
- **Taxation**

“**the Stage One Assessments**” means the assessment of the Core Practice Areas, the Course Skills, Professional Conduct and Regulation, Wills & Administration of Estates and Taxation.

“**Stage Two of the Legal Practice Course (Stage Two)**” comprises the programme of teaching & learning in one or more of the Vocational Elective Subjects, which are listed in the Assessment Strategy;

“**the Stage Two Assessments**” means the assessments of the Vocational Elective Subjects;

“**the Transcript**” means the Transcript issued to a student who has studied the Legal Practice Course (**in the form set out in Annex C**);

“**the University**” means The University of the West of England, Bristol;

“**the University’s Disciplinary Procedures**” refers to those set out in the University’s Academic Regulations and Procedures,.

2. Introduction

- 2.1 Students will register on the Legal Practice Course with the University to undertake a programme of study in:
- (a) Stage One and Two of the Legal Practice Course; or
 - (b) Stage One of the Legal Practice Course only; or
 - (c) Stage Two of the Legal Practice Course only.
- 2.2 A student will undertake a programme of study on the Legal Practice Course to achieve the relevant Legal Practice Course outcomes and to pass the relevant Legal Practice Course Assessments.
- 2.3 A student may be exempted by the University from
- (a) undertaking the programme of study relating to one or more of the Legal Practice Course Assessments; or
 - (b) (as a former Bar Vocational Course or Bar Professional Training Course student) from both the programme of study and assessments in certain Stage One or Stage Two subjects ,. where the University is satisfied that the student has achieved the Legal Course Practice Outcomes in those subjects for which exemption is granted
- 2.4 Students on the Legal Practice Course will be assessed in accordance with
- (a) these Regulations; and
 - (b) the Assessment Strategy.
- 2.5 The Assessment Strategy sets out the strategy applied by the University in relation to the Legal Practice Course Assessments and which may be amended from time to time, subject to the constraints exercised over the Legal Practice Course by the Solicitors Regulation Authority. The current version of the Assessment strategy is set out in **Appendix A**
- 2.6 The Examination Board will determine the results of students who have studied on the Legal Practice Course and undertaken Legal Practice Course Assessments.

3. Examination Board

- 3.1 The Examination Board shall consist of:

- (a) the Associate Dean (Learning, Teaching and the Student Experience) of the Faculty of Business and Law (who will be the Executive Dean's nominee and will act as Chair of the Examination Board, or nominate such person to do so in their absence)
- (b) The Head of the Department of Law
- (c) the Director of the Department of Law (Professional Law Programmes)
- (d) the Associate Head of Department and Part-Time Course Manager of the Legal Practice Course;
- (e) members of the academic staff of the University with a substantial teaching input to the Legal Practice Course;
- (f) the external examiners for the Legal Practice Course appointed by the the University.

3.2 The quorum for a meeting of the Examination Board shall be two thirds of the members eligible to attend. At meetings where results of student progress are to be determined, at least two external examiners must normally be present.

3.3 The terms of reference of the Examination Board will be:

- (a) to ensure that draft assessment papers for all Legal Practice Course Assessments are properly scrutinised and approved;
- (b) to ensure all Legal Practice Course Assessments are properly conducted;
- (c) to ensure that all Legal Practice Course Assessments are properly assessed and marked;
- (d) to confirm marks and grading awarded to a student who has undertaken a Legal Practice Course Assessment
- (e) to approve the Transcript for each student;
- (f) to make recommendations for the award of the Postgraduate Diploma in Legal Practice on successful completion of the Legal Practice Course and the award of such Diploma with Distinction or Commendation in accordance with Regulation 10;

- (g) to determine what action shall be taken in the case of a student failing or not sitting some or all of the Legal Practice Course Assessments which they have elected to sit;
- (h) to determine what action shall be taken in the case of a student failing to comply with the study requirements of the Legal Practice Course;
- (i) to determine, in accordance with University Regulations, what action shall be taken in the case of a student found to have committed an Assessment Offence;
- (j) to determine whether to refer a student to the Solicitors Regulation Authority who is found to have committed an Assessment Offence;
- (k) to make recommendations (within the constraints of the external control exercised over the course by Solicitors Regulation Authority) on any matters concerned with the Assessment Strategy;
- (l) to be responsible for determining actions in terms of the effect, if any, of circumstances related to the delivery or assessment of a unit of study adversely affecting the performance of a whole cohort or a particular sub-group of students in an assessment or unit of study as a whole.
- (m) to receive recommendations from the sub-committee responsible for extenuating circumstances.
- (n) To determine applications made by students for an Extension of Time to complete the Legal Practice Course
- (o) to be responsible for such other matters as are referred to it by the Solicitors Regulation Authority, or by the Academic Board or its sub-committees of the University.

3.4 A sub-committee of the Examination Board (to include at least one external examiner) will make recommendations to the Examination Board, in respect of any applications made by students for Extenuating Circumstances.

4 Assessment Offences

- 4.1 Assessment offences will be dealt with in accordance with University Academic Regulations and Procedures.
- 4.2 The Examination Board may refer any matter of Misconduct or Academic Misconduct to be dealt with in accordance with the University's Disciplinary Procedures.
- 4.3 The Examination Board may also refer any matter of Misconduct or Academic Misconduct to the Solicitor's Regulation Authority
 - (a) without having first referred the matter to be dealt with in accordance with the University's Disciplinary Procedures;
 - (b) where a matter has also been referred to be dealt with in accordance with the University's Disciplinary Procedures, but irrespective of the outcome of that procedure

In deciding whether to refer a matter to the Solicitors Regulation Authority, the Examination Board will have regard to the "*Guidelines on the assessment of character and suitability*" published by the Solicitors Regulation Authority. (**currently in the form at Annex E**) or such other document which might replace it.

- 4.4 A student will be asked to co-operate with such investigation into any allegation of an Assessment Offence as the Examination Board may require.
- 4.5 For the purposes of this Regulation, an offence of Academic Misconduct shall include (but is not limited to)
 - (a) copying another student's assessment answer (including notes prepared for an oral skills assessment) either in whole or in part;
 - (b) allowing another student to use or copy an assessment answer (including notes prepared for an oral skills assessment) ;
 - (c) allowing another student to prepare and/or write an assessment answer (including notes prepared for an oral skills assessment);
 - (d) collaborating in research, preparation and/or writing of an assessment answer (including notes prepared for an oral skills assessment) unless and to the extent that this is explicitly permitted in the assessment instructions;
 - (e) collaborating with another student in the completion of work which is submitted as that other student's unaided work;

- (f) copying or summarising from a published work, eg textbook, article, etc., without proper attribution;
- (g) making a false declaration that the assessment submission (including notes prepared for an oral skills assessment) is a student's own work;
- (h) disclosing or discussing details of the content of any skills assessment exercises unless this is expressly permitted or required;
- (i) taking unauthorised materials, including any electronically stored information, into an assessment;
- (j) communicating with, or copying from, any other student during any assessment
- (k) impersonation and/or any other deliberate attempt to deceive.

4.6 For the purposes of this Regulation an offence of Misconduct is any conduct which is not compatible with a student's character and suitability to become a solicitor, which shall include (but is not limited to)

- (a) violent behaviour;
- (b) dishonesty;
- (c) deceit or other conduct which suggests lack of trustworthiness;
- (d) conduct which suggests the student poses a risk to the public or the profession;
- (e) conviction for any offence.

5 External Examiners

- 5.1 There will be at least four external examiners for the Legal Practice Course who shall be appointed by the University, and whose decision in relation to matters of assessment shall be final. One of the four external examiners will include a Lead Examiner for the University.
- 5.2 An external examiner will receive, make recommendations on and approve
 - (a) drafts of all Legal Practice Course Assessments for those subjects allocated to that examiner; and
 - (b) the corresponding assessment criteria and marking schemes.
- 5.3 An external examiner will have oversight of moderation processes and will approve the marking standard in each assessment.
- 5.4 An external examiner shall also perform such other duties relating to the Legal Practice Course (including assessment) as may be required by the Solicitors Regulation Authority.

6 Assessment Points

- 6.1 The Legal Practice Course Assessments shall take place within any Academic Year at the times set out in the Assessment Strategy.

Stage One Assessments

- 6.2 A student undertaking Stage One of the Legal Practice Course ("**Stage One**") will have a right to three attempts at any Stage One Assessment, subject to the provisions of Regulation 6.3.
- 6.3 After commencing Stage One, a student may attempt any Stage One Assessment at any designated time set out in the Assessment Strategy provided
 - (a) Regulation 6.4 does not apply;
 - (b) (subject to Regulation 14) not more than 5 years has elapsed since they undertook their first Legal Practice Course Assessment:
 - (c) they have not already sat the Assessment 3 times:
 - (d) they have not already failed their third and final attempt in any other Stage One Assessment:

- (e) they have given appropriate notification of their intention to sit as may be required (see Regulations 6.11-6.14)
- (f) they have paid any resit fee required in respect of the assessment

For the purpose of Regulations 6.3 (b) (c) and (d), Regulations 13.7 to 13.10 (on the effect of extenuating circumstances) may apply to disregard a student's attempt at an assessment

- 6.4 A student undertaking Stage One may not attempt a Stage One Assessment if in relation to the subject being assessed, they have failed without good cause:
- o to attend sufficient taught sessions (for which attendance is required) and/or
 - o to undertake sufficient and appropriate related study

to the extent that the Assessment Officer considers that the student will not be able to achieve the relevant Legal Practice Course Outcomes in that particular subject, irrespective of their performance in the assessment.

- 6.5 Regulation 6.4 shall not apply where the student has been granted exemption by the University, so that they are entitled to undertake assessments in designated subject(s) without having participated in the related study for that subject (refer to section 2.3).

Stage Two Assessments

- 6.6 A student undertaking Stage Two of the Legal Practice Course ("**Stage Two**") will have three attempts at any Stage Two Assessment, subject to the provisions of Regulation 6.7.

- 6.7 At any time after commencing Stage Two a student may attempt any Stage Two Assessment at any designated time set out in the Assessment Strategy provided that

- (a) Regulations 6.8 & 6.9 do not apply;
- (b) (subject to Regulation 14) not more than 5 years has elapsed since they undertook their first Legal Practice Course Assessment:
- (c) they have not already sat the Assessment 3 times:

- (d) they have not already failed their third and final attempt in any Stage Two Assessment, unless they have re-enrolled on Stage Two of the Legal Practice Course in respect of that or another Vocational Elective:
- (e) they have given appropriate notification of their intention to sit as may be required (see Regulations 6.11-6.13)
- (f) they have paid any resit fee required in respect of the assessment

For the purpose of Regulations 6.7 (b) (c) and (d), Regulations 13.6 to 13.10 (on the effect of extenuating circumstances) may apply to disregard a student's attempt at an assessment

6.8 In order to attempt any Stage Two Assessment then, where a student is studying

- (a) both Stage One and Stage Two on a Full-Time programme, they must have attended sufficient taught sessions (for which attendance is required) and/or undertaken sufficient appropriate related study for Stage One (but without there being a requirement to have undertaken or passed any Stage One Assessments)
- (b) both Stage One and Stage Two on a Part-Time programme, they must have attended sufficient taught sessions (for which attendance is required) and/or undertaken sufficient appropriate related study for Stage One of the relevant year of the part-time programme (but without there being a requirement to have undertaken or passed any Stage One Assessments)
- (c) Stage Two alone, they must provide appropriate evidence that they attended sufficient taught sessions (for which attendance is required) and/or undertook sufficient appropriate related study for Stage One (whether at the University or with another Legal Practice Course provider) which will include details of when they sat their first Legal Practice Course Assessment.

6.9 A student may not attempt a Stage Two Assessment, if in relation to the subject being assessed, they have failed

- o to attend sufficient taught sessions (for which attendance is required) and/or
- o to undertake sufficient appropriate related study

to the extent that the Assessment Officer consider that they will not be able to achieve the relevant Legal Practice Course Outcomes in that particular subject, irrespective of their performance in the assessment.

- 6.10 Regulation 6.9 shall not apply where the student has been granted exemption by the University, so that they are entitled to undertake assessments in designated subject(s) without having participated in the related study for that subject

Notification of intention to sit

- 6.11 A student will be expected to undertake their first attempt at any Stage One or Two Assessment at the first opportunity provided in the Assessment Strategy. This is unless the student gives the University sufficient notice (as it requires) that they wish to defer the assessment .

- 6.12 A student must thereafter give the University sufficient notice (as it requires) of their intention to undertake

(a) their first attempt at an assessment (other than at the first possible opportunity).

(b) their second or third attempts at any assessment

- 6.13 A student will not be permitted to undertake assessment(s) if they fail to give sufficient notice.

- 6.14 A student who has notified the University of their intention to sit an assessment, may subsequently elect not to defer that assessment, provided they give sufficient notice to the University as defined in the Assessment Strategy and/or the Student Handbook.

Non-attendance at an Assessment

- 6.15 Regulation 6.16 applies to a student who does not sit an assessment, when they

(a) are expected to undertake the assessment in accordance with regulation 6.11 and have not deferred the assessment; or

(b) has elected to undertake an assessment in accordance with regulation 6.12 and has not subsequently deferred their attempt.

- 6.16 Where a student fails to attend an assessment, they must provide an acceptable explanation for their non-attendance to the Examination Board, prior to the Examination Board's determination in respect of the assessment concerned. If an acceptable explanation is not received, then the Examination Board may determine that the student has failed the assessment (subject always to the provisions relating to extenuating

circumstances in Regulation 13.6 to 13.9 and as set out in the Student Handbook.)

Resit Fee

- 6.17 The University may charge a student a fee in order to undertake an assessment. The amount of the fee will be set out in the Assessment Strategy and the Student Handbook.
- 6.18 The Associate Head of Department for the Legal Practice Course shall determine whether a student may re-attend taught sessions at the University and/or receive additional materials to support a programme of study leading to a resit of any assessment, including the amount of any fee to be paid by that student.

Information to students

- 6.19 Student will be provided with copies of and/or electronic access to, the Assessment Regulations, the Assessment Strategy and the Student Handbook (including updated copies of these should they change during the student's study of the Legal Practice Course). In particular students will be informed of the Assessment Points, the Nature of Assessments and their options to undertake them.

7 Nature of Assessments

7.1 All Legal Practice Course Assessments will be undertaken in accordance with the Assessment Strategy

7.2 All Legal Practice Course Assessments will be based on the current law as at the date of the assessment (subject to changes in the law sufficiently proximate to the assessment that they cannot be taken into account)

Stage One Assessments

7.3 **Core Practice Areas**

(a) Business Law & Practice

- (i) Business Law & Practice will be assessed by way of at least one supervised written assessment
- (ii) The time allowed for the Business Law & Practice Assessment(s) will be at least three hours.
- (iii) The pass mark in Business Law & Practice will be **50% (“*the prescribed pass mark*”)**.

(b) Practice and Property Law & Practice

- (i) Property Law & Practice will be assessed by way of at least one supervised written assessment.
- (ii) The time allowed for the Property Law & Practice Assessment(s) will be at least three hours
- (iii) The pass mark in Property Law & Practice will be **50% (“*the prescribed pass mark*”)**.

(c) Litigation

- (i) Litigation will be assessed by way of at least one supervised written assessment.
- (ii) The Litigation assessment will comprise an assessment of both Civil Litigation and Criminal Litigation.
- (iii) If there are separate assessments for Civil Litigation and Criminal Litigation, these will take place within the same Period of Assessment but not necessarily on the same day.

- (iv) The time allowed for the Litigation Assessment(s) will be at least three hours
- (v) The pass mark in Litigation will be **50%** aggregated from the marks attained in Civil and Criminal Litigation. (***“the prescribed pass mark”***).
- (vi) There will be no requirement to attain a pass mark of 50% in the assessment of both Civil and Criminal Litigation.

7.4 Professional Conduct and Regulation

- (a) Professional Conduct, Financial Services & Money Laundering
 - (i) Professional Conduct, Financial Services & Money Laundering will be assessed in a supervised assessment lasting at least two hours.
 - (ii) The pass mark in Professional Conduct, Financial Services & Money Laundering will be **50%** (***“the prescribed pass mark”***).
 - (iii) The Assessments of Business Law & Practice, Property Law & Practice and Litigation will each contain one or more questions on matters of Professional Conduct, Financial Services & Money Laundering. These will comprise at least 5% of the maximum marks a student could attain in each Core Practice Area Assessment.
 - (iv) Marks attained by students in answering questions on matters of Professional Conduct, Financial Services & Money Laundering within the Core Practice Area assessments will not count towards the prescribed pass mark in Professional Conduct, Financial Services & Money Laundering.
- (b) Solicitors Accounts Rules
 - (i) Solicitors' Accounts will be assessed in a supervised assessment lasting at least two hours.
 - (ii) The pass mark in Solicitors Accounts will be **50%** (***“the prescribed pass mark”***).
 - (iii) No materials will be permitted in the Solicitors Accounts Assessment, except for an unmarked copy of the Solicitors' Accounts Rules (provided by the University).

7.5 Skills Areas

- (i) Students will be assessed in the five Course Skills of Practical Legal Research, Writing, Drafting, Interviewing & Advising and Advocacy
- (ii) Each of the Course Skills will be assessed on a competent/not yet competent basis.
- (iii) With exception of Advocacy (which must be set in the context of Litigation) each Course Skill may be assessed in any legal context, as set out from time to time in the Assessment Strategy.
- (iv) As set out from time to time in the Assessment Strategy, the assessment of each Course Skill may be undertaken independently of any other assessment; or in combination with the assessment of another Course Skill; or in combination with the assessment of a Core Practice Area;
- (v) The Assessment of each Course Skill may take place in unsupervised conditions
- (vi) Where students receive advanced facts or materials for any Course Skill Assessment, students will be required to complete a self declaration that their preparation for the assessment is their own work. The declaration shall read

I declare that in preparing for my [] assessment I have not received any assistance from a fellow student or third party.

I am aware that preparing for the assessment with assistance and making a false declaration that I did so unaided, will amount to assessment offences to be dealt with in accordance with the University's disciplinary procedures.

It could also be a matter to be reported to the Solicitors Regulation Authority (regardless of any sanction imposed by the University)

- (vii) Students will be required to complete a self declaration that any Course Skill assessment undertaken in unsupervised conditions is their own work. The declaration shall read

I declare that the [] assessment answer submitted is my own work and I have not received any assistance from a fellow student or third party.

I am aware that undertaking the assessment with assistance and making a false declaration that I did so unaided, will amount to assessment offences to be dealt with in accordance with the University's disciplinary procedures.

It could also be a matter to be reported to the Solicitors' Regulation Authority (regardless of any sanction imposed by the University)

7.6 Wills and Administration of Estates

Students will be assessed in Wills and Administration of Estates, either by way of a discrete assessment, or as part of the assessment of any Course Skill. It will be assessed on a competent/not yet competent basis.

7.7 Taxation

Students will be assessed in Taxation, either by way of a discrete assessment, or as part of the assessment of any Core Practice Area.

Stage Two Assessments

7.8 Vocational Electives

- (i) Students will be assessed in each Vocational Elective which they study on the Legal Practice Course
- (ii) Each Vocational Elective will be assessed by way of at least one supervised written assessment
- (iii) The time allowed for the assessment(s) in each Vocational Elective will be at least three hours.
- (iv) The pass mark in each Vocational Elective will be **50% (“the prescribed pass mark”)**.

8. Successful Completion of the Legal Practice Course

- 8.1 Subject to Regulation 14, to complete the Legal Practice Course successfully a student must complete and pass Stages One and Two of the Legal Practice Course within 5 years of undertaking their first Legal Practice Course Assessment.
- 8.2 A student may complete and pass the Legal Practice Course at the University having completed and passed Stage One at another Legal Practice Course provider, but will not be eligible for a University award. See Section 10.
- 8.3 Where the University recognises assessments studied and passed at another Legal Practice Course provider as contributing to the award, the University will accept the marks achieved for those assessments.

Completing Stage One of the Legal Practice Course

- 8.4 Subject to Regulation 14, to complete Stage One of the Legal Practice Course a student must pass all Stage One assessments within 5 years of undertaking their first Legal Practice Course Assessment.
- 8.5 A student will have no more than three attempts to pass each assessment for Stage One of the Legal Practice Course (refer to Regulations 13.6 – 13.9).
- 8.6 A student will fail Stage One of the Legal Practice Course if they fail all their attempts at any Stage One Assessment
- 8.7 Where a student fails Stage One of the Legal Practice Course then (subject to Regulation 14) they must undertake that stage of the course again and pass all assessments within 5 years of undertaking their first Legal Practice Course Assessment.

Completing Stage Two of the Legal Practice Course

- 8.8 Subject to Regulation 14, to complete Stage Two of the Legal Practice Course a student must pass all Stage Two assessments within 5 years of undertaking their first Legal Practice Course Assessment.
- 8.9 A student will have no more than three attempts to pass each assessment for Stage Two of the Legal Practice Course
- 8.10 A student will fail Stage Two of the Legal Practice Course if they fail all their attempts at any Stage 2 Assessment; unless they then either re-enrol on Stage Two of the Legal Practice Course for that particular Vocational Elective, or undertake a different Vocational Elective.

- 8.11 Where a student fails Stage Two of the Legal Practice Course then (subject to Regulation 14) they must undertake that stage of the course again and pass all assessments within 5 years of undertaking their first Legal Practice Course Assessment.

Not completing the Legal Practice Course

- 8.12 Subject to Regulation 14, if a student does not complete Stage One & Two of the Legal Practice Course within 5 years of undertaking their first Legal Practice Course Assessment, they have not successfully completed the Legal Practice Course.
- 8.13 The student must re-commence the entire course again and satisfactorily complete both Stages 1 and 2 again, including all assessments.
- 8.14 In such circumstances, the five year period for completing all assessments begins when they undertake their first assessment having re-commenced the Legal Practice Course.

Effect of Extenuating Circumstances

- 8.15 For the purpose of Regulation 8, Regulations 13.6 to 13.10 (on the effect of extenuating circumstances) may apply to disregard a student's attempt at an assessment

9 Transcripts

- 9.1 Every student who studies Stage One and/or Two of the Legal Practice Course will receive a Transcript in respect of that stage of the course.
- 9.2 Assessment outcomes for the Stage 1 and Stage 2 assessments will be recorded on separate Transcripts, whether a student has studied for the Stages in a separate or a combined way.
- 9.3 Transcripts will not include reference to the University award granted in accordance with Regulation 10.

Stage One Transcript

- 9.4 Each student Transcript for Stage 1 shall include:
 - (a) the date of the first Legal Practice Course Assessment undertaken by the student
 - (b) the percentage marks for the three Core Practice Area Assessments, including specific marks for Criminal and Civil Litigation (and the relative weighting of each part of the overall Litigation Assessment)
 - (c) the percentage mark for Professional Conduct and Financial Services;
 - (d) the percentage mark for Solicitors Accounts
 - (e) competent/not yet competent decisions for each of the five Skills
 - (f) a competent/not yet competent decision in Wills & Administration of Estates
- 9.5 The Transcript will also identify
 - (a) the number of times each assessment was attempted,
 - (b) on which attempt(s) the student was successful,
 - (c) the date on which the successful attempt(s) was undertaken
 - (d) (where appropriate) the actual mark awarded for each successful attempt

- 9.6 The Transcript will provide
- (a) information about the context in which the outcomes for Taxation and Wills and Administration of Estates were assessed; or
 - (b) if there is a discrete assessment in either of those subjects, the actual mark awarded in such assessment

Stage Two Transcript

- 9.7 Each student Transcript for Stage 2 shall include:
- (a) the date of the first Legal Practice Course Assessment undertaken by the student
 - (b) the title of the elective and percentage marks for each Vocational Elective undertaken with the University
- 9.8 The Transcript will also identify
- (a) the number of times each assessment was attempted,
 - (b) on which attempt(s) the student was successful,
 - (c) the date on which the successful attempt was undertaken
 - (d) the actual mark awarded for each successful attempt
- 9.9 The format of the Transcript will be determined by the Assessment Officer, subject to the requirements of these Regulations and the constraints exercised over the Legal Practice Course by Solicitors Regulation Authority.
- 9.10 Each Transcript will be signed by the Executive Dean or their nominee.

10 Award of Postgraduate Diploma Legal Practice

10.1 In order to be eligible to receive the University award of Postgraduate Diploma Legal Practice a student must:

- (a) have studied and passed Stage One of the Legal Practice Course at the University;
- (b) have successfully completed and passed Stage Two of the Legal Practice Course.

10.2 The achievement on the Postgraduate Diploma Legal Practice will be expressed as a Pass, Commendation or Distinction.

10.3 A student will be awarded a Postgraduate Diploma Legal Practice with Distinction where they

- (a) have passed all assessments at the first attempt
- (b) obtained at least four marks of 70% or above and an average mark of 70% or above in the three Core Subject Area Assessments and the three Vocational Elective Assessments.

10.4 A student will be awarded a Postgraduate Diploma Legal Practice with Commendation where they

- (a) have passed all Core Subject Area and Vocational Elective Assessments at the first attempt
- (b) obtained at least four marks of 60% or above and an average mark of 60% or above in the three Core Subject Area Assessments and the three Vocational Elective Assessments
- (c) have failed not more than one of the other assessments at the first attempt

10.5 A student who passes Stage one and Stage Two, but who does not achieve a Distinction or Commendation as set out in 10.3 and 10.4 will be awarded a Postgraduate Diploma in Legal Practice.

Effect of Extenuating Circumstances

10.6 For the purpose of Regulation 10.2 to 10.5, Regulations 13.6 to 13.10 (on the effect of extenuating circumstances) may apply to disregard a student's attempt at an assessment

University Certificate of Credit

- 10.7 Where a student has passed the Stage One Assessments and one or more Stage Two Assessments at the University, they will be eligible to receive a University Certificate of Credit for those assessments to enable any other Legal Practice Course Provider where they have completed the Legal Practice Course to determine the student's eligibility for an award.

11. Adjustments

- 11.1 Reasonable and appropriate adjustments will be made to the teaching, learning and assessment processes to ensure that students on the Legal Practice Course are not disadvantaged as a result of a disability or other impairment.
- 11.2 Such adjustments will be set out in a formal Learning Strategy agreed between the University and the student.
- 11.3 A Learning Strategy may provide for adjustments to be made in relation to the conditions in which a student will undertake assessments. For example these might include
- the provision of extra time to undertake the assessment;
 - additional time to allow for meal breaks during assessments
 - additional time to give breaks to students experiencing physical conditions impairing their performance in the assessment
 - the use of a computer to type assessment answers
 - the provision of a reader or amanuensis.

12 Assessment Declaration

12.1 When a student undertakes any Legal Practice Course Assessment, it is assumed that

- (a) there are no reasons why the student should not sit the assessment at that time;
- (b) there are no reasons why the student might subsequently submit an extenuating circumstances application to the Examination Board.
- (c) the student is not aware of any condition or impairment which has not been the subject of an application for reasonable adjustments by way of a Learning Strategy

By undertaking the assessment a student is be deemed to have made a declaration to this effect

12.2 Regulation 12.1 will not apply where a student has undertaken an assessment and their performance in the assessment was affected because of a condition, impairment or circumstance which

- (a) Was not known to the student at the time they undertook the assessment (including where the condition, impairment or circumstance arises or occurs during an assessment or period of assessment);
- (b) Was known to the student at the time they undertook the assessment, but whose effect was greater than any anticipated at the time;
- (c) Was attributable to a condition or impairment known to the student at the time they undertook the assessment, but in respect of which it had not been possible to make reasonable adjustments due to the late discovery of the condition or impairment.
- (d) Was attributable to a condition or impairment or circumstance known to the student at the time they undertook the assessment, but in respect of which it was not possible to make reasonable adjustments to obviate (either wholly or in part) the effect of the condition, impairment or circumstance
- (e) In any other circumstance where the student could not reasonably be expected to make the deemed declaration in accordance with Regulation 12.1

- 12.3 The Examination Board will only accept an extenuating circumstances application for consideration, where a student has mitigating circumstances that affected their performance in a particular assessment, which fall within Regulation 12.2 (a) to (e)

13 Extenuating Circumstances

Submission of Extenuating Circumstances

- 13.1 If a student believes that their performance in any assessment is significantly and adversely affected by illness or other good cause falling within Regulation 12.2 (a) to (e) then they may submit evidence of extenuating circumstances to the Examination Board.

- 13.2 It is the responsibility of the student to submit their extenuating circumstances application for consideration by the Examination Board,

- (a) after the assessment(s) concerned;
- (b) within 14 days of the assessment(s) concerned

and in any event prior to publication of the relevant results (whether or not the results have been confirmed by the Examination Board)

- 13.3 The Examination Board may refuse a claim for extenuating circumstances which is submitted late without any, or any adequate, explanation for the late submission.

- (a) If details of extenuating circumstances are submitted more than 14 days after the assessment(s) concerned, the student must satisfy the Examination Board that there was good reason for the delay in submission.
- (b) If details are submitted after publication of the relevant results, the student must satisfy the Examination Board that there were exceptional circumstances to account for the delay.

- 13.4 Where evidence of extenuating circumstances is not supplied, or not supplied in the proper manner, or deemed by the Examination Board to be inadmissible, any subsequent application by the student for review of the Examination Board's decision may be rejected if based on claimed extenuating circumstances.

Determination of Extenuating Circumstances

- 13.5 In determining an extenuating circumstances application the Examination Board will have regard to
- (a) the nature of the condition, impairment or circumstance affecting performance;
 - (b) the causative effect of the condition, impairment or circumstance on the student's performance;
 - (c) the supporting evidence;
 - (d) ensuring students are not be penalised by factors outside their control, in their performance on the LPC and in their completion of the course, to allow their progression into the legal profession as soon as possible, thus promoting equality and diversity in access to the legal profession
 - (e) whether it considers it reasonable in all the circumstances to accept the application.

Effect of Extenuating Circumstances

- 13.6 Where the Examination Board accepts an Extenuating Circumstances application, then failed attempt(s) at the assessments for which the extenuating circumstances application is made will be disregarded
- 13.7 Such failed attempt will also
- (a) be disregarded for the purposes of determining whether a student has undertaken their first assessment when calculating the five year period for the completion of their assessments
 - (b) not count in determining whether a student has undertaken three attempts at any assessment
 - (c) not be recorded on the Transcript
- 13.8 Where the Examination Board accepts an Extenuating Circumstances application and disregards a failed attempt at an assessment, then the student will nevertheless not be able to undertake a further attempt at that assessment if the five year period for completion of their assessments has expired unless Extension of Time has also been granted by the Examination Board

- 13.09 The Examination Board will not consider an extenuating circumstances application where the student has passed the assessment(s) in respect of which the application is made. Extenuating circumstances cannot have the effect of improving a mark or grading awarded to a student who has successfully passed an assessment
- 13.10 Where the Examination Board does not consider an extenuating circumstances application in accordance with Regulation 13.09, the student will be entitled to raise the Examination Board's non-consideration of their extenuating circumstances as a ground of appeal. If the University Appeal Panel accepts that the student's extenuating circumstances had an adverse effect on the student's performance in the assessment(s) concerned, then the student will have the option to undertake the assessment(s) again as a deferred first sit (but if they elect to do so, the mark in their deferred sit will replace the mark of the original attempt in the assessment)

14 Extension to the Time limit for completion of the Legal Practice Course

- 14.1 Subject to the provisions of this Regulation 14, to complete the Legal Practice Course a student must complete and pass Stages One and Two of the Legal Practice Course within 5 years of undertaking their first Legal Practice Course Assessment.
- 14.2 In exceptional circumstances only the Examination Board may extend the time limit for successful completion of the Legal Practice Course
- 14.3 In exercising its discretion under Regulation 14.2 the Examination Board shall take into account
- (a) the extent of the student's failure to complete successfully the course to date,
 - (b) the student's results to date,
 - (c) the circumstances which may have affected the student's performance in assessments,
 - (d) the circumstances which may have affected the student's ability to sit assessments,
 - (e) any other relevant factor
 - (f) the evidence presented by the student in support of their Extension Application.
- 14.4 The Examination Board may extend the time for completion of the Legal Practice Course by such period as it considers to be reasonable in all of the circumstances.
- 14.5 The Examination Board may consider an application for an Extension of Time either before or after the expiry of the 5 year period referred to in Regulation 14.1
- 14.6 Any application for an Extension of Time made after the Examination Board has determined that a student has failed the Legal Practice Course by reason of the student failing to complete and pass Stages One and Two of the Legal Practice Course within 5 years of undertaking their first Legal Practice Course Assessment, must be made within 14 days of the date of publication of Results.
- 14.7 Any student who is subject to the provisions of this Regulation 14 must undertake the relevant assessments undertaken by students attending the Legal Practice Course in the academic year concerned. It is the

responsibility of the student concerned alone to prepare appropriately for the outstanding assessments

14.8 Where illness or other good cause affects

- (a) the student's performance in assessments undertaken &/or
- (b) the student's ability to sit assessments,

during the period of extension, the student concerned may make further application to the Examination Board to further extend the time limit for successful completion of the Legal Practice Course on such terms as it considers to be reasonable in all of the circumstances.

15 Appeals

15.1 An application for review of the decisions of the Examination Board shall only be made in accordance with the University's Academic Regulations and Procedures relating to the review of decisions of examining boards.