

NALP Level 3 Certificate for Paralegal Technicians

Qualification Specification

This document covers the following Qualification:

TITLE	Qualification Reference No
NALP Level 3 Certificate in Paralegal Practice	610/3492/7

National Association of Licensed Paralegals

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Contents

- 1. Introduction**3
- 2. Summary of the Qualification Covered by this Specification**3
 - 2.1. NALP Level 3 Certificate for Paralegal Technicians**3
 - 2.2. Rules of Combination**3
- 3. Objectives of the Qualifications**3
- 4. Entry Requirements**4
- 5. Recognition of Prior Learning**4
- 6. Progression for Learners**4
- 7. Guided Learning Hours (GLH) and Total Qualification Time (TQT)**4
- 8. Credits**6
- 9. Learning Materials and Support**6
- 10. Assessment**7
 - 10.1. Assessment Methodology and Time Restrictions**7
 - 10.2. Availability of Sample Assessments**8
 - 10.3. Marking the Assessment and Issuing Results**9
 - 10.4. Reasonable Adjustments and Special Considerations** 10
- 11. Appeals** 11
- 12. Quality Assurance and Moderation** 12
- 13. Award and Publication of Results** 12
- 14. Units for the Qualifications** 13

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, or looking to work, as a Paralegal. NALP is also an End Point Assessment Organisation and was closely involved with the development of the new Level 3 Paralegal Apprenticeship Standard.

NALP is also the oldest established professional membership and self-regulatory body for paralegals in the UK, having been established in 1987. NALP advocates for its members and for full recognition of the paralegal profession as an integral part of the legal sector as a whole. NALP introduced the Paralegal Technician membership level specifically for those who have gained a Level 3 legal qualification or has successfully completed the Level 3 Paralegal Apprenticeship.

2. Summary of the Qualification Covered by this Specification

2.1. NALP Level 3 Certificate for Paralegal Technicians

The NALP Level 3 Certificate for Paralegal Technicians enables Learners to gain or strengthen their knowledge of key areas of law. The subjects covered have been chosen to provide a solid foundation for new paralegals to build upon as they start in their chosen profession.

2.2. Rules of Combination

All units of this qualification are mandatory in order for Learners to achieve the qualification.

3. Objectives of the Qualifications

The NALP Level 3 Certificate for Paralegal Technicians qualification is 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 their foundational knowledge of the English legal system, plus key skills such as how to carry out legal research.

The content of this qualification has also been designed to map across to many of the Knowledge, Skills and Behaviours (KSBs) required by the Level 3 Paralegal Apprenticeship Standard.

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 (equivalent to a Level 2/3 in English such as a GCSE grade 4/5 (old grade C), etc.). 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 upon enrolment for this qualification, 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 NALP's website.

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

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:

<https://www.nationalparalegals.co.uk/recognition-for-prior-learning/>

6. Progression for Learners

The NALP Level 3 Certificate for Paralegal Technicians provides 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.

In addition, the NALP Level 3 Certificate for Paralegal Technicians qualification has been designed to provide those undertaking a Level 3 Paralegal Apprenticeship with much of the foundational legal knowledge required to successfully complete their chosen apprenticeship.

7. Guided Learning Hours (GLH) and Total Qualification Time (TQT)

"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”.

The NALP Level 3 Certificate for Paralegal Technicians has been designed to be able to be delivered in a number of ways, such as:

Distance learning – the learner completes the course work one word via a majority of self-study, using the workbooks provided by NALP, and/or e-learning packages provided by the training centre. NALP would expect any Centres providing this qualification via self-study to also provide tutorial support to their learners, usually on demand or ‘ad hoc’.

Blended learning – the learner attends some classroom-based activity (can be in a physical classroom or face to face via a live video link) and also conducts a larger proportion of self-study, the latter often being set by their teacher/tutor as a form of homework.

Classroom based learning – the learner attends a more traditional form of learning environment where the majority of the learning is undertaken in the presence of a teacher or tutor, whether in a physical classroom or via a remote classroom environment.

The majority of learners will likely undertake either classroom-based or blended learning activities to study for this qualification, therefore NALP has calculated that the GLH for the NALP Level 3 Certificate for Paralegal Technicians will equal approximately 60% of the overall study time necessary to pass the units needed to attain this qualification. Please note that this is based on the ‘average learner’ as being one who has not previously studied law in any form and so is starting from a basis of having very little previous knowledge or understanding of the subject but having a good general knowledge and being able to easily study at this level. This is because Level 3 is considered ‘entry level’ in respect of gaining legal qualifications. Some learners may take longer to achieve the qualification than others and some, particularly those who already work in the legal sector but wish to enhance and formalise their knowledge, may well be able to achieve the NALP Level 3 Certificate for Paralegal Technicians in a shorter timeframe.

GLH is only applicable to those who have chosen a classroom based or blended way of learning. Those choosing to study via distance learning may not have any learning hours that fall under the definition of ‘guided learning’. In that case, the total TQT will still apply as the number of hours an average learner will take to achieve the NALP Level 3 Certificate for Paralegal Technicians.

The following is a summary of the units underpinning the NALP Level 3 Certificate for Paralegal Technicians with their respective GLH and 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	Unit Number	GLH	Self-study and assignment	Total TQT
1	Introduction to Law for Paralegals	Y/650/9222	62	41	103
2	Introduction to Professional Conduct for Paralegals	A/650/9223	40	26	66
3	Introduction to Law of Contract for Paralegals	D/650/9224	64	43	107
4	Introduction to Litigation and Dispute Resolution for Paralegals	F/650/9225	55	37	92
	TOTAL		220	148	368

8. Credits

Credits are used by some educational providers to assign a value to the units, or modules, undertaken, and achieved, by a learner. Whilst not compulsory, these are seen as useful tools to make it easier to identify the depth, complexity and intellectual demand of the learning that has been undertaken. Credits can often be helpful when looking at recognition of prior learning at a similar level, or for entry to higher education.

Credits have been allocated to the units attached to the NALP Level 3 Certificate for Paralegal Technicians as follows:

Unit	Title	Level of Unit	Credit Value
1	Introduction to Law for Paralegals	3	10
2	Introduction to Professional Conduct for Paralegals	3	7
3	Introduction to Law of Contract for Paralegals	3	11
4	Introduction to Litigation and Dispute Resolution for Paralegals	3	9
Total Credit Value for the NALP Level 3 Certificate for Paralegal Technicians			37

9. Learning Materials and Support

NALP provides full Course Workbooks for each unit of study which are provided to Centres for onward provision to the learners that enrol on the NALP Level 3 Certificate for Paralegal Technicians. NALP also provides full Learner Guides which provides lots of information, hints and tips regarding how to complete the assessments that are set for each unit of study. These guides are also available to download from

NALP's website at www.nationalparalegals.co.uk. The workbooks are only available to enrolled learners via their chosen training centre/college.

As part of their approval process, NALP ensures that all approved training centres have suitably trained and experienced staff who are able to provide learners with any support they may require in order to attain their NALP qualification. Learners should therefore contact their chosen training centre in the first instance should they have any queries or concerns.

10. Assessment

10.1. Assessment Methodology and Time Restrictions

The NALP Level 3 Certificate for Paralegal Technicians is assessed via multiple choice question papers, which are undertaken monthly at pre-arranged dates/times, and written assignments which are undertaken on demand by the learner as they complete each unit of study.

The multiple-choice question (MCQ) papers are undertaken online via a secure proctoring service. MCQ assessments will be undertaken at pre-arranged dates and times, usually on the last Friday of every month. Learners will be provided with full details as to how to log into the proctoring service and will be required to ensure they have a suitable place in which to undertake their examination, with no distractions and no one else in the room (unless previously agreed under a Reasonable Adjustment arrangement). They will be required to have their ID ready and acknowledge that both their PC screen and themselves will be recorded and monitored throughout the exam to ensure that the assessment is undertaken compliantly. The time allocated for completion of the multiple-choice question paper will depend on the unit being studied. Please see the table on the next page for details.

Where the unit being studied also has a written assignment to be completed as part of the assessment, this will be provided to the learners who will then have 2 weeks to complete the assignment. For clarity, written assignments are provided to the Centre on demand when a learner is ready to take their assessment for the unit they have studied. The decision as to whether or not a learner is ready to take their assessment is for the Centre and the learner to make. NALP makes no determination as to the readiness of the learners undertaking their assessments.

When an assessment has been requested, NALP will:

- **For multiple-choice assessments** – inform the Centre of the next available assessment slot. This will usually be on the last Friday of every month. NALP will pass the contact details of the learner to the proctoring service to facilitate the delivery of the MCQ assessment. The proctoring service will then contact the learner to provide instructions as to how to set up to take the assessment. It should be noted that the MCQ papers must be taken on a laptop or desktop computer and cannot be taken on a tablet or mobile device. This is due to not being able to remotely view the screen and ensure that the learner is not accessing any other search engines or other online resources during the examination. The MCQ paper is a 'closed book' examination meaning that learners are not allowed any assistance or access to any learning materials or other resources that could help them answer

the questions on the assessment. The learners must take their MCQ assessment in a suitable room, away from distractions and with no other people in the room (unless arranged due to reasonable adjustments, such as an Oral Language Modifier). Learner will require a mobile phone with a camera as well as their laptop/desktop computer as this will be used as a second camera for security purposes.

- **For Assignments** – allocate a specific paper from NALP’s bank of assignments and will upload this on the NALP Centre Portal for the Centre to download. As soon as the Centre downloads the assignment, the automated ‘clock’ will start its countdown until the date and time the assignment is due for submission. This clock will also stop as soon as the Centre has uploaded the completed assignment. It should be noted there is a maximum word limit of 2,000 words for all assignments for the NALP Level 3 Certificate for Paralegal Technicians. Any learner exceeding that will not attract marks for any words over the maximum limit.

The following indicates the percentage of assessment that will be assessed via either method for each unit of study undertaken by learners on the NALP Level 3 Certificate for Paralegal Technicians:

Unit	Title	Multiple Choice	Time Allowed for MCQ	Written Assignment	Time allowed for Assignment
1	Introduction to Law for Paralegals	100%	60 Minutes	0%	N/A
2	Introduction to Professional Conduct for Paralegals	80%	45 Minutes	20%	2 weeks
3	Introduction to Law of Contract for Paralegals				
4	Introduction to Litigation and Dispute Resolution for Paralegals				

In order to achieve the desired Qualification a learner must have completed and achieved the required pass mark for all units within 2 years (24 months) of enrolment onto the qualification.

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, 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/recognition-for-prior-learning/>.

10.2. Availability of Sample Assessments

Sample multiple choice questions and assignment questions can be found on the NALP website at:

www.nationalparalegals.co.uk

10.3. Marking the Assessment and Issuing Results

Learners’ outcomes will be graded as either Fail, Pass, Merit or Distinction, taking an aggregate of the assessments undertaken, e.g:

Unit	Title	Available Marks per assessment		Overall Pass	Overall Merit	Overall Distinction
		MCQ	Assign			
1	Introduction to Law for Paralegals	100	0	66-75	76-85	86+
2	Introduction to Professional Conduct for Paralegals	80	20	61-70	71-80	81+
3	Introduction to Law of Contract for Paralegals					
4	Introduction to Litigation and Dispute Resolution for Paralegals					

In order to Pass **Unit 1** Learners will need to answer correctly 33/50 of the MCQ’s. As each MCQ is worth 2 marks this will lead to a score of 66% or more. The Pass Mark detailed in the Table above.

If a Learner scores LESS than 66% for Unit 1 they have not reached the required Pass Mark and will fail. The Learner will have an opportunity to re-sit the MCQ test. This will be a different MCQ test. Learners are allowed a maximum of 3 attempts at any assessment. Learners will receive one re-sit attempt free of charge (their second attempt) but will have to pay if a third and final attempt is necessary.

In order to Pass **Units 2, 3 or 4** the process is slightly different as these Units are made up of 2 elements of assessment. It is necessary to reach the Pass Mark for EACH element. The Pass Mark for Units 2, 3 and 4 is determined as follows:

- a) Learners must answer correctly 26/40 MCQ’s in order to Pass this element of the assessment which is worth 80% of the final mark.

AND

- b) In addition to the MCQ element above, Learners must also successfully Pass the Assignment. This will take the form of a Problem Based Question (PBQ) which will be divided into a number of scenarios testing Learners ability to apply the relevant law and provide initial advice. In order to reach a Pass mark in this element Learners must achieve a minimum of 9/20. This is worth 20% of the balance of the final mark.

If a Learner scores higher than these scores this will lead to an overall Merit or Distinction. If a Learner scores LESS than 61% overall for Units 2, 3 or 4 they have not reached the required Pass Mark. The Learner will Fail either the individual element (MCQ **or** Assignment) or both elements. The Learner will then have an opportunity to re-sit the assessment for the failed element(s). This will be a different MCQ test or Assignment or both (if both elements of assessment are failed). Learners are allowed a maximum of 3 attempts at any element of assessment. Learners will receive one re-sit attempt free of charge (their second attempt) but will have to pay if a third and final attempt is necessary.

How Grading is applied

For the MCQ element for all Units each question is worth 2 marks. A Pass will be determined as above (Unit 1 = 33 correct MCQ's (66 marks); Unit 2, 3 and 4 = 26 correct MCQ's (52 marks) worth 80% of the final grade). The purpose of the MCQ's is to demonstrate Learners' knowledge of the Units.

The Assignment will be made up of Problem Based Questions in the form of scenarios. These will be designed to test Learners' ability to apply the law and provide initial advice. A minimum mark of 9/20 is required to Pass this element.

The assignments will be marked against the mark scheme with higher marks being awarded based on the following criteria:

Pass: (Descriptive): A Pass grade will be awarded if a Learner has fully covered all criteria indicated but this has been done in a basic (descriptive) way (9-12 marks).

Merit: (Explanatory): A Merit grade will be awarded if a Learner has shown a higher degree of aptitude, has demonstrated a thorough understanding of the material and has presented their findings in a clear and accurate manner (13-15 marks).

Distinction: (Showing evidence of implications): A Distinction will be awarded if a Learner has shown a mastery of the subject matter and has dealt with the questions in a professional manner. Attention will be given to spelling, grammar, layout and style and to the actual presentation of the assignment in addition to the content (16+ marks).

10.4. 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.

Where such a request includes provision of additional time to complete a qualification and/or assessment(s), the maximum time allowed will not exceed 25% of the usual required time for completion of the qualification and/or assessment(s). For the avoidance of doubt, if a learner has been granted an extension to their qualification, the maximum time they will be allowed to complete it under Reasonable Adjustments or Special Considerations is 2.5 years or 30 months from the date of enrolment.

In respect of the time allotted to the assessments, the following is the maximum amount of time allowed for learners with agreed reasonable adjustments or special consideration:

Unit	Title	Max Time Allowed for MCQ inc RA/SC	Max Time allowed for Assignment inc RA/SC
1	Introduction to Law for Paralegals	75 Minutes	N/A
2	Introduction to Professional Conduct for Paralegals	56 Minutes	2.5 weeks (18 calendar days)
3	Introduction to Law of Contract for Paralegals		
4	Introduction to Litigation and Dispute Resolution for Paralegals		

Please note that the above are the **maximum times allowed** and learners could be granted extensions of differing lengths, dependent upon the reasons for the request, etc.

In respect of the multiple-choice question paper assessment, these will be delivered remotely via a proctored examination service. As such, other reasonable adjustments may be able to be made such as having the questions in larger font or different coloured backgrounds, etc. These will need to be arranged well in advance and so Centres must contact NALP regarding these arrangements on enrolment of the learner.

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

<https://www.nationalparalegals.co.uk/>

11. 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 the bottom of the NALP website at:

<https://www.nationalparalegals.co.uk/>.

Learners should note that appeals are not allowed on the sole basis of disagreement with an academic judgment made by an assessor and must be accompanied by a full rationale as to why the appeal has been raised. Appeals should be made by the Centre on the learner’s behalf. However, if a Centre does

not support the learner's appeal or disagrees with the grounds of the appeal the learner bases their appeal the learner is entitled to raise this directly with NALP.

12. Quality Assurance and Moderation

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 request from admin@nationalparalegals.co.uk.

13. Award and Publication of Results

Once assessments have been marked and all necessary internal quality assurance has been completed, the results will be uploaded to the Centre Portal and the Centre informed of their availability. NALP has a service standard of issuing results within 4 weeks of receipt of a completed assignment or 1 week of a multiple-choice question paper, whichever is the later.

If the Learner has successfully attained the full qualification, a Qualification Certificate will also be issued. NALP aims to issue all certificates within three weeks of successful completion of the full qualification and release of the final unit results.

Replacement certificates can be provided by completing the relevant form which can be found on the bottom of the NALP website and by paying the fee of £25. The form is available from the website and you can pay the fee via the website also: <https://www.nationalparalegals.co.uk/>

14. Units for the Qualifications

NALP Unit Ref:	1	Ofqual Unit Ref:	Y/650/9222
Unit Name:	An Introduction to Law for Paralegal Technicians		
Aim of Unit:	To give the learner a detailed knowledge of the legal system in England and Wales.		
Learning Outcomes	Assessment Criteria	Indicative Content	
1. Have an understanding of the legal system in England and Wales	1.1. Demonstrate an understanding of the nature and purpose of law	1.1. Definition of law - including: <ul style="list-style-type: none"> - Its purpose and function - The development of common law and equity 	
	1.2. Demonstrate an understanding of the classification of law	1.2. The ways in which law may be classified - including the differences between <ul style="list-style-type: none"> - Public and private law - Criminal and civil law e.g. burden of proof, standard of proof - Artificial and legal persons - Common law and equity e.g. meaning of equity, its relationship to common law, equitable maxims. Mortgages and trusts, equitable remedies 	
	1.3. Demonstrate an understanding of the role of key legal personnel	1.3. The role of those working in the courts - including: <ul style="list-style-type: none"> - Training and work of barristers - Training and work of solicitors - Training and work of paralegals - Lay magistrates and juries - Judges - The Lord Chancellor - The system of appeals 	

	1.4. Identify the court hierarchy	1.4. The main work undertaken by the courts in England and Wales- including: <ul style="list-style-type: none"> - The jurisdiction and function of the Criminal Courts - The jurisdiction and function of the Civil Courts
2. Have an understanding of how law is made	2.1. Demonstrate an understanding of the role of the Executive, the Legislature and the Judiciary	2.1. The role of the executive, the Legislature and Judiciary - including: <ul style="list-style-type: none"> - Sovereignty of parliament, - Separation of powers
	2.2. Demonstrate an understanding of how an Act of Parliament is created	2.2. The creation of an Act of Parliament - including: <ul style="list-style-type: none"> - The functions of green and white papers - First Reading - Second Reading - Committee Stage - Report Stage - Third reading - Royal Assent - Function of Parliament Acts 1911 and 1949
	2.3. Demonstrate an understanding of how secondary legislation is created and controlled	2.3. Definition of secondary legislation - including: <ul style="list-style-type: none"> - Statutory Instruments - Bye laws - Controls including: <ul style="list-style-type: none"> - Publication - Laying before Parliament - Committee supervision - Judicial review - European Convention on Human Rights
	2.4. Demonstrate an understanding of how the law of precedent works	2.4. The concept of case law - including: <ul style="list-style-type: none"> - Which courts bind each other - The difference between ratio decidendi and obiter dicta

		<ul style="list-style-type: none"> - Binding and persuasive precedent - How a court can depart from a previous case
3. Have an understanding of how and where to research law	3.1. Identify the differences between primary and secondary sources of law	3.1. The difference between primary and secondary sources including: <ul style="list-style-type: none"> - When they should be used - Where they can be found.
	3.2. Identify what a statute contains	3.2. The contents of a statutes including: <ul style="list-style-type: none"> - Explanatory notes - Contents page - Long and short titles - Chapter number - Commencement section
	3.3. Demonstrate an understanding of how statues should be cited	3.3. The correct citation for each part of a statue including: <ul style="list-style-type: none"> - Sections - Schedules - Subsections
	3.4. Identify the way in which case law is reported	3.4. The way a case report is structured including: <ul style="list-style-type: none"> - Headnote - Obiter dicta - Ratio decidendi
	3.5. Demonstrate an understanding of how legal research should be presented	3.5. The conventions for presenting legal research including: <ul style="list-style-type: none"> - The identification of the legal issue - Use of clear language

NALP Unit Ref:	2	Ofqual Unit Ref:	A/650/9223
Unit Name:	Introduction to Professional Conduct		
Aim of Unit:	To give the learner a clear knowledge of the responsibilities of paralegals in a professional setting including their ethical and codes of conduct duties		
Learning Outcomes	Assessment Criteria	Indicative Content	
1. Understand the professional and ethical responsibilities Paralegals have regarding Client Care and their relationship with third parties	1.1 Demonstrate an understanding of the requirements of confidentiality and disclosure	1.1 The rules on confidentiality and disclosure - including: <ul style="list-style-type: none"> - As a matter of law - As a matter of conduct - After a matter is concluded - Disclosure permitted or required by law - Disclosure through consent 	
	1.2 Demonstrate the requirement to act impartially including identifying where there is a conflict of interest	1.2 The requirement to act impartially and to identify where there is a conflict of interests - including: <ul style="list-style-type: none"> - Own interest conflict - Client conflict - Giving financial advice - Drafting mirror wills 	
	1.3 Identify the different ways a case may be funded	1.3 When and how cases may be funded - including: <ul style="list-style-type: none"> - Public funding civil and criminal - Paying privately - Legal expenses insurance - Conditional fee agreements - Pro bono 	
	1.4 Identify how client money should be handled including an understanding of money laundering provisions	1.4 The way in which client money should be handled - including: <ul style="list-style-type: none"> - Client accounts - Restrictions on paralegals handing client money 	

		<ul style="list-style-type: none"> - Definition of Money Laundering - Best practice from Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 - Identity requirements - Source of funds
	1.5 Identify information that can and cannot be shared with third parties and an understanding of the Data Protection Act	1.5 The information that can and cannot be shared with third parties - including: <ul style="list-style-type: none"> - Client details - Application of Data Protection Act 2018 - Application of General Data Protection Regulations
	1.6 Demonstrate an understanding of the NALP Code of Conduct and Ethics	1.6 The content and application of the NALP Code of Conduct and Ethics - including: <ul style="list-style-type: none"> - Reserved activities - Professional behaviour - Handling client money
2. Know how to conduct a client interview effectively and efficiently	2.1 Demonstrate an understanding of how to take instructions, including identifying the key stages of a client interview	2.1. The methods of taking instructions and key stages of a client interview - including: <ul style="list-style-type: none"> - By telephone - Face to face - Evidence of identify - Information on costs - Listening, questioning and recording
	2.2 Demonstrate an understanding of the relevant law and ethical practice in relation to vulnerable clients	2.2. Ethical practice in identifying and working with a vulnerable client - including: <ul style="list-style-type: none"> - Mental capacity - Other vulnerability - Accompanied clients

	2.3 Identify how to draft an accurate attendance note following appropriate conventions	2.3. The attendance note - including: <ul style="list-style-type: none"> - Purpose - Content
3. Know how to apply the professional requirements of drafting client communications	3.1 Identify how to write a client care letter following appropriate conventions	1.1. The client care letter- including: <ul style="list-style-type: none"> - Content - Tone - Purpose
	3.2 Demonstrate an understanding of the appropriate complaints procedure available to clients including the Legal Ombudsman	1.2. How to handle complaints - including: <ul style="list-style-type: none"> - Stages of complaint handling - The Legal Ombudsman
	3.3 Demonstrate an understanding of how to draft and respond appropriately to e-mail communications	1.3. The use of email in a professional context- including: <ul style="list-style-type: none"> - Appropriate language
	3.4 Demonstrate an understanding of how to deal with telephone enquiries	1.4. How telephone enquiries should be dealt with - including: <ul style="list-style-type: none"> - Identity of caller - Recording time spent
	3.5 Identify the requirement for accurate record keeping including time recording for billing or time management	1.5. The importance of accurate record keeping - including: <ul style="list-style-type: none"> - Storage of records - Purpose - Digital storage - Cybersecurity

NALP Unit Ref:		3	Ofqual Unit Ref:	D/650/9224
Unit Name:	An Introduction to the Law of Contract for Paralegals			
Aim of Unit:	To give the learner a clear understanding of the law of contract in England and Wales			
Learning Outcomes	Assessment Criteria	Indicative Content		
1. Understand what requirements are necessary to make a contract legally binding	1.1. Identify what is a contract and how it differs from an agreement	1.1. The 5 requirements for a valid contract – including: <ul style="list-style-type: none"> - Offer - Acceptance - Consideration - Intention - Terms 		
	1.2. Identify what constitutes an offer and distinguish it from an invitation to treat	1.2. Definition of an offer including: <ul style="list-style-type: none"> - Certainty of terms - Communication - Unilateral and Bilateral offers Definition of invitation to Treat – including: <ul style="list-style-type: none"> - Advertisements - Auctions - Tenders - Goods displayed for sale - Statements of price Termination of an Offer – including: <ul style="list-style-type: none"> - Death of the offeree or offeror - Acceptance - Revocation - Rejection - Lapse of time 		

	1.3. Demonstrate an understanding of the importance of consideration within a contract and the consequence if this is not present	1.3. Definition of and rules consideration – including: <ul style="list-style-type: none"> - Difference between a promise and a contract - Must be 'real' - Rules re existing duties - Part payment of debts - Must be sufficient (but need not be 'adequate') - Must be legal - Must move between 'promisor' and 'promisee' - Must be capable of performance - Must not be (in the) past
	1.4. Identify other elements that need to be present to make a contract valid	1.4. Intention to enter a legal relationship – including: <ul style="list-style-type: none"> - Rebuttable presumption in social and domestic situations, - Rebuttable presumption in commercial situations - Effect of mere puffs
	1.5. Identify how important the capacity of the parties is to the validity of a contract	1.5. Where capacity may not be present and effect of lack of capacity – including: <ul style="list-style-type: none"> - Age - Mental capacity - Void and voidable contacts
2. Have a thorough understanding of the classification of terms within a contract and how they can be incorporated	2.1. Demonstrate an understanding of the distinction between terms that are conditions or warranties and how these could affect the remedies available if there is a breach of contract	2.1. Definition of terms within a contract and the effect if breached – including: <ul style="list-style-type: none"> - Conditions - Warranties - Innominate terms - Waiver of breach
	2.2. Demonstrate an understanding of the	2.2. Incorporation of terms within a contract – including: <ul style="list-style-type: none"> - Express terms

	distinction between express and implied terms and how these can be incorporated into a contract	<ul style="list-style-type: none"> - Exclusion Clauses - Implied terms
3. Understand vitiating factors and their consequences	3.1. Demonstrate an understanding of the meaning of 'consensus ad idem' and the vitiating factors that may negate this including misrepresentation, mistake, duress and undue influence	3.1. Factors which may vitiate contractual agreement and their effect – including: <ul style="list-style-type: none"> - Duress - Undue influence - Mistake - Non est Factum - Unilateral Mistake - Bi-lateral Mistake - Misrepresentation
4. Understand how a contract can be brought to an end	4.1. Demonstrate an understanding of how a contract may be ended	4.1. Discharge of a contract – including: <ul style="list-style-type: none"> - By performance - By Breach - By Agreement - By Frustration
5. Understand the remedies available when a contract has been breached	5.1. Identify the remedy available for a breach of contract at common law and when and how this applies	5.1 Damages for breach of contract – including: <ul style="list-style-type: none"> - Types - Causation - Remoteness - Mitigation
	5.2. Identify the various equitable remedies available for breach of contract and when and how they apply	5.2 Equitable remedies for breach of contract – including: <ul style="list-style-type: none"> - Specific performance - Injunction

NALP Unit Ref:	4	Ofqual Unit Ref:	F/650/9225
Unit Name:	An Introduction to Litigation and Dispute Resolution for Paralegals		
Aim of Unit:	To give the learner an understanding of the civil and criminal litigation process		
Learning Outcomes	Assessment Criteria	Indicative Content	
1. Understand the distinction between the Civil and Criminal court hierarchy and the personnel involved	1.1 Know and understand the civil court hierarchy and personnel	1.1. Which courts can a claim be commenced <ul style="list-style-type: none"> - the maximum claim in each court - how they stand in relation to each other - what the appeal courts are - who are the personnel in each court 	
	1.2 Know and understand the criminal court hierarchy and personnel	1.2. Which courts can a case be commenced <ul style="list-style-type: none"> - What the appeal courts are - How they stand in relation to each other - Who are the personnel in each court 	
	1.3 Understand the civil appeal process	1.3. To which court can a claim be appealed <ul style="list-style-type: none"> - On a point of law - On a point of fact 	
	1.4 Understand the criminal appeal process	1.4. To which court can a case be appealed <ul style="list-style-type: none"> - Against sentence - Against conviction 	
2. Know and understand when to go to court on civil matters and understand the civil court process	2.1 Understand the scope of civil litigation in England and Wales including key aspects of the Civil Procedure Rules (CPR)	2.1. The Civil Procedure Rules 1998 (CPR) <ul style="list-style-type: none"> - changed the nature of how civil litigation works in England and Wales - uses protocols and procedures for the conduct of a civil case through the courts - the three tracks, Small Claims, Fast Track and Multi-Track - the allocation requirements are for each 	

		<ul style="list-style-type: none"> - the overriding objectives of the CPR
	2.2 Understand how a civil action is commenced and the options available to a defendant	<p>2.2. Completion of Part 7 Claim form (Form N.1 - for monetary claims)</p> <ul style="list-style-type: none"> - particulars of claim - court fee – sent to court for issue - copy sent to the defendant with a response pack giving five options <ul style="list-style-type: none"> ◆ admitting the claim and paying in full ◆ admitting part of the claim ◆ defending the claim ◆ admit the claim but also file a counterclaim ◆ do nothing
	2.3 Identify what a judgment in default is and how it may be set aside	<p>2.3. Granted to claimant automatically if defendant does not respond</p> <ul style="list-style-type: none"> - only set aside on application by the defendant for good reason - application made to court - the court then grants or refuses it - the court can make various orders including costs
	2.4 Identify the initial steps in a civil litigation process once a defence is filed	<p>2.4. Court notifies parties that defence filed</p> <ul style="list-style-type: none"> - sends a copy to each party - directions questionnaire sent to parties for completion - case transferred to 'preferred' court - court allocates case to a track
	2.5 Identify the different 'tracks' in a civil action and on what basis	<p>2.5. The three tracks:</p> <ul style="list-style-type: none"> - Small Claims Track

	the court allocates a case to each track	<ul style="list-style-type: none"> - Fast Track - Multi-Track - allocation is based on the value of the claim, proportionality and complexity
	2.6 Identify how civil actions can be funded	<p>2.6. Two categories</p> <ul style="list-style-type: none"> - fee-paying client (including CFAs or Insurance) - publicly funded client legal aid and no longer available for most common types of cases)
3. Understand the different kinds of Alternative Dispute Resolution and when to apply them	3.1 Identify when it may be possible to commence an action in a Tribunal and the benefits of doing so	<p>3.1. Governed by The Tribunals, Courts and Enforcement Act 2007</p> <ul style="list-style-type: none"> - originally created to make it easier, quicker, and less costly to settle disputes - less formal than going to court - most common cases involve employment, social security, land, immigration and asylum.
	3.2 Understand the importance of Mediation within the civil court process	<p>3.2. Most important form of ADR</p> <ul style="list-style-type: none"> - complies with overriding objectives of CPR to encourage settlement - can be used at any time throughout civil process to find solutions to issues in dispute - neutral mediator agreeable to both parties should be appointed - role is to encourage compromise and settlement
	3.3 Understand about conciliation in the civil court process	<p>3.3. Different to mediation</p> <ul style="list-style-type: none"> - conciliator can make suggestions as to terms of settlement - ACAS

	<p>3.4 Understand about arbitration and negotiation in the civil court process</p>	<p>3.4. Arbitration Act 1979 and 1996</p> <ul style="list-style-type: none"> - Governs arbitration process - independent specialist appointed will make a decision (an award) which is final. - Negotiation is first method of settling a dispute before going to court
<p>4. Understand the powers of the police and how cases will be administered and funded if they go to court</p>	<p>4.1. Identify the classification of offences and understand the criminal courts to which each is allocated and the role of the Youth Court</p>	<p>4.1. The classification of cases within both the Magistrates' Court</p> <ul style="list-style-type: none"> - Summary - Triable Either Way - Indictable <p>And the Crown Court</p> <ul style="list-style-type: none"> - Class 1 offences - Class 2 offences - Class 3 offences <p>How cases will be dealt with for those under 18 regardless of the above criteria – Youth Courts</p>
	<p>4.2. Understand police powers in the investigation and detection of a crime</p>	<p>4.2. The importance of PACE (Police and Criminal Evidence Act 1984)</p> <ul style="list-style-type: none"> - arrest - search - detention and interrogation of suspects, - identification - fingerprinting
	<p>4.3. Understand how the bail process works in the police station and criminal courts</p>	<p>4.3. Bail at the police station – no right to bail</p> <ul style="list-style-type: none"> - if charged - if not charged - Bail Act 1976 - general right to bail during court proceedings

	<p>4.4. Understand the procedure and trial process for summary, either way and indictable offences</p>	<p>4.4. Summary trial</p> <ul style="list-style-type: none"> - pleading guilty by post or in person - pleading not guilty <p>Either way</p> <ul style="list-style-type: none"> - plea before venue and allocation hearing <p>Indictable</p> <ul style="list-style-type: none"> - starts in magistrates court - referred to crown court - jury empanelled if not-guilty plea - if guilty plea then referred to crown court for sentencing
	<p>4.5. Identify what funding is available in criminal cases and the criteria</p>	<p>4.5. Legal Aid Agency provides</p> <ul style="list-style-type: none"> - public funding - duty solicitor scheme - public defender service - interests of justice and means tests - applications to magistrates court or online
	<p>4.6. Understand the types of sentences available to the criminal courts on conviction</p>	<ul style="list-style-type: none"> - - There are four main types of sentence a court can impose: - Discharge - Fine - Community Sentence - Custodial Sentence