

# Centre Handbook

## **National Association of Licensed Paralegals (NALP)**

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## 1. Welcome to NALP (National Association of Licensed Paralegals)

We want to extend a warm welcome from NALP to all of our Centres, new and established. This handbook is designed to give our Centres the information and guidance required to sustain their Centre status.

### 1.1. A Brief History of NALP

NALP was established in 1987, making it the oldest self-regulatory body supporting paralegals in England and Wales. Paralegals are not covered by Statutory Regulation so NALP set out to establish a trusted brand that would help to fill that gap and promote paralegals as a legal profession in its own right. As part of this mission, we introduced and established paralegal-specific qualifications, starting in 1988 with The Higher Certificate in Paralegal Studies (now the NALP Level 4 Diploma in Paralegal Studies). The first examinations were held in 1989 and since then over 10,000 people have taken this qualification.

The continued success of this qualification led to the development of further qualifications, starting in 1999 with the Post Graduate Diploma in Paralegal Practice (now the NALP Level 7 Diploma in Paralegal Practice). This particular qualification was introduced as a direct result of referrals received from the Law Society and was designed to assist Law Graduates who were unable to gain a Training Contract to achieve the necessary knowledge and skills in procedural law to progress to an alternative career as a Professional Paralegal.

With the advent of change in the vocational qualifications sector, with more people understanding the value of achieving fully regulated qualifications, NALP gained Recognition with the Office of Qualifications and Examinations Regulation (Ofqual) in December 2009. The newly entitled Level 4 and Level 7 qualifications were shortly thereafter included on the official Register for all regulated qualifications – now known as the Regulated Qualifications Framework. In 2013 our qualifications offering was increased with the introduction of the NALP Level 3 Award in Paralegal Practice, the NALP Level 3 Certificate in Paralegal Practice and the NALP Level 3 Diploma in Paralegal Practice. These have been designed to provide those who perhaps have not previously studied law, either to GCSE/A-Level or degree level, with a different path to gaining the necessary knowledge and understanding for their chosen career.

The NALP brand, coupled with the fact that our qualifications are fully regulated and recognised by Ofqual, is seen as a badge of quality for Paralegal Qualifications.

### 1.2. Our Mission Statement

***NALP strives to ensure that its members are recognised as a key part of the legal profession by the quality of its qualifications and professional development. NALP encourages, promotes and develops the role and practice of the paralegal and represents the best interests of its members.***

Whilst this statement may seem NALP-Member-Centric, it is important to note that all Learners studying towards a full NALP qualification receive one year's free Affiliate Membership, plus it is NALP's position as the oldest-established self-regulatory body for Paralegals that strengthens the brand of our qualifications and makes them the most accepted and respected paralegal-specific qualifications available. Our mission statement and how we meet it is therefore very important to those Centres wishing to offer our qualifications.

We meet this Mission Statement by being a strong advocate for paralegals – by strengthening the voice of paralegals in the Legal Sector. We advocate for our members, including to the Bar Council, the Solicitors Regulation Authority and the Law Society.

Our main objectives as a Professional Membership body for Paralegals are:

- to provide for the qualification of our Affiliate Members as Paralegals
- to provide for the career development of our qualified Members
- to disseminate information on matters of professional interest
- to represent, promote and express the collective interests of our Members
- to act as a consultative body on all things concerned with the Paralegal Profession
- to provide a forum for all matters affecting the interests of our Members
- to provide opportunities for social contacts amongst Paralegals
- to promote paralegals, building respect and understanding of the profession

As part of being the voice of Paralegals, our Chief Executive regularly writes articles for both the legal and consumer press and more business general publications. This in turn promotes our brand and ultimately our qualifications as well.

## 2. Being a Paralegal

### 2.1 What is a Paralegal?

A Paralegal is a person qualified through education and training to perform substantive legal work that requires knowledge of the law and procedures but who is not a qualified solicitor, barrister or chartered legal executive.

Paralegals may work in a law firm for solicitors, or even a Barristers' Chambers. Increasingly, paralegals are being employed within the legal departments of large companies or local or national government organisations. Those who hold a 'Licence to Practise' through NALP can also offer legal services directly to their own clients.

Whilst a 'Licensed Paralegal' has a specific meaning, the term 'Paralegal' is actually fairly generic. When used to describe those employed within law firms, 'Paralegal' usually relates to fee earners and can be synonymous with 'Legal Assistant'. In reality, Paralegals are the '4<sup>th</sup> arm of the Legal Profession'. For instance, they make up a large part of the unadmitted staff solicitors rely upon to be able to operate effectively and one would often find it difficult to differentiate between the work carried out by a solicitor with that done by a Paralegal.

In recent years Paralegals have started to come into their own. With access to legal aid now being severely restricted, consumers are looking for more cost-effective ways to get assistance with legal matters. This has led to a rise in 'Litigants in Person', or individuals who represent themselves in court. This in turn has put pressure on our already stretched court services trying to provide advice to these members of the public. Qualified, trained and experienced Paralegals are increasingly being used to offer a less costly, but highly effective, legal support option.

Whatever professional route a paralegal wishes to take, having a respected and recognised qualification is of paramount importance. Employers and clients want to be assured that the person they are employing to deal with their legal issues is properly qualified to do so. NALP paralegal qualifications are the benchmark for such qualifications, with a trusted brand and high-quality assessments designed to ensure those who hold one of our qualifications have demonstrated they have the requisite knowledge and skills a role as a paralegal demands.

### 2.2 Being a Paralegal vs being a Solicitor

Usually, in order to become a solicitor, an individual will take a qualifying law degree at university, followed by a Legal Practice Course. They will then need to secure a place on a two-year training contract with a solicitor.

Many people who are interested in a career in law may not wish to go down that route, however. Whilst there are ways to work towards being a solicitor without a degree, being a paralegal is an excellent career choice in itself and is the fastest growing profession in the legal sector. With the increased demand for support for Litigants in Person, as mentioned above, paralegals are more in demand than ever.

Obviously, paralegals do not have the same powers and rights as a solicitor so, whilst they can do virtually everything that a solicitor can do, there are some exceptions, referred to as: 'Reserved Activities' (See section 2.3 of this handbook).

Paralegals can help consumers with a number of different needs. Just a few instances in which Paralegals can provide assistance include (but are not limited to):

- Financial claims (i.e. collecting monies owed or defending against monies claimed)
- Minor criminal offences – some Paralegals are even 'Police Station Accredited' so can be on-call as needed
- Matrimonial or Civil Partnership disputes
- Employment disputes and tribunals
- Wills and Lasting Powers of Attorney
- Housing disputes
- Welfare disputes

Obviously, if any of the above cases move on into an area covered by a Reserved Activity then the services of a solicitor would be required and in many cases in respect of those scenarios laid out above, a paralegal will only be providing advice to a consumer who will be acting as the litigant in person as they do not have the automatic right to represent a client in court.

NALP qualifications clearly set out what a paralegal can do and cover all areas of law that a paralegal may be involved in.

### 2.3 What is a Reserved Activity?

As we have mentioned, there are a number of scenarios where Paralegals cannot undertake the same activities as a solicitor, known as the 'Reserved Activities'. If an unauthorised person undertakes any of these activities it is a **criminal offence**. The Reserved Activities are set out in the Legal Services Act as follows:

- The exercise of a right of audience
- The conduct of litigation
- Reserved instrument activities
- Probate activities
- Notarial activities
- The administration of oaths

It is important that all Paralegals make it clear that they are not authorised and therefore not permitted to carry out reserved activities.

There can be some exemptions to the above, for instance:

- Advocacy is not a reserved activity unless it involves the 'right of audience', so a paralegal is able to represent a client in places such as a Tribunal or before a District Judge in Chambers in a County Court (although it is better if notice of intent to represent in such circumstances is provided to the Court or Tribunal prior to the hearing); or
- Exemption may be granted if a person has been granted a right of audience by a specific Court in relation to specific proceedings. For the avoidance of doubt, such permission would be granted on a 'one time only' basis and just because a person has been granted a right of audience once does not mean they will be granted the same in future in the same Court for different clients or proceedings.

In addition to the Reserved Activities listed above, a Paralegal must also not provide any immigration advice or services, unless they are also registered with the Office of the Immigration Services Commission (OISC) as an Immigration Adviser.

As a Centre offering NALP qualifications, it is important that you understand what a Reserved Activity is and ensure that your learners are aware of both the restrictions applicable to them, and the opportunities open to them as a qualified Paralegal.

### 2.4 What is 'Holding Out'?

'Holding Out' is the term used when someone gives the impression that they are a qualified solicitor, barrister, chartered legal executive, conveyancer (unless you are Licensed by the Council for Licensed Conveyancers) or notary public. This may be done accidentally – such as by omitting the fact that one is a paralegal when offering legal services so that potential clients could be likely to assume that the person they are dealing with is actually a solicitor – or it may be a deliberate act to defraud

potential clients. Whilst obviously the latter is far more serious, both are offences that Paralegals must take all possible steps to avoid.

All learners should be made aware of this term and of the fact that the title ‘Lawyer’ is a generic term defined as being ‘a person who practises or studies law’, so technically a paralegal could refer to themselves as a lawyer. However, mostly due to the popularity of American TV shows, many members of the public understand ‘lawyer’ to be synonymous with ‘solicitor’, so merely using the term ‘lawyer’ can often be misconstrued. NALP therefore requires that all members refer to themselves as a Paralegal Lawyers on any business cards, stationery, marketing materials or websites, etc. to ensure that there can be no misunderstandings, and we would encourage our Centres to advise their learners, who express an interest in providing legal services directly, to use the same terminology.

### 3. Being a NALP Centre

An approved NALP Centre will be able to deliver all the bespoke NALP Paralegal Qualifications and give opportunities to potential practitioners to experience a rewarding career offering legal services to consumers or businesses. Each registered student undertaking one of the NALP Qualifications\* through your Centre, will be given a one-year NALP Membership included in their enrolment which should be renewed whilst studies continue, on an annual basis. This has many advantages and benefits for an individual since NALP is a well-respected organization throughout the legal sector, both in the UK and abroad. It is strongly recommended that they retain membership with NALP if they wish to pursue a paralegal career.

\*excluding single-unit subjects

#### 3.1 What are the Benefits of Being a NALP Centre?

NALP approved Centres can offer paralegal specific qualifications from NALP, the longest running paralegal organisation in the UK. NALP specialises in all things ‘paralegal’ and unlike most other Awarding Organisations, NALP does not offer qualifications for any other sector. NALP Qualifications are respected and known nationally and internationally, so are completely portable, no matter where your learners’ professional lives may take them.

All of NALP’s qualifications are externally assessed, so our Centres do not have to take on the burden of marking any assignments.

NALP’s qualifications were designed for distance learning, however our materials are easily adaptable for a classroom environment, giving our Centres the flexibility to choose the route to learning that is best for them and their learners.

In addition to the above, NALP is also the oldest self-regulatory body for Paralegals in England and Wales and are keen advocates for Paralegal Professionals. Our CEO has articles published in legal and other business and consumer sector publications every month. Copies of these articles are available on our website [here](#).

In 2019 NALP also introduced the National Paralegal Day, with the inaugural celebrations taking place on 14<sup>th</sup> March 2019 at the House of Commons in London. As well as awards for various categories of paralegals, there are also awards aimed at the best performing learners, further promoting the importance of Regulated Qualifications for Paralegals.



### 3.2 Background to Regulated Qualifications

NALP is recognised as an Awarding Organisation by the Office of Qualifications and Examinations Regulation (Ofqual). Whilst Ofqual's jurisdiction is for England (there are separate Regulatory Bodies in Wales, Northern Ireland and Scotland) their name and reputation for regulating high quality qualifications is world-renowned. Ofqual regulate not only vocational qualifications, such as those offered by NALP, but also the General Qualifications taken by our children in schools and colleges – GCSEs, A-Levels and the new T-Levels. They also regulate things such as NVQs, BTECs and are one of the regulators responsible for the new apprenticeship framework and End Point Assessments.

All qualifications recognised and regulated by Ofqual appear on the Ofqual Register of Regulated Qualifications, which can be found at [register.ofqual.gov.uk](https://register.ofqual.gov.uk) [here](#).

Because of the reputation of our Regulator, our qualifications can be, and are, made available abroad and are accepted in most countries.

### 3.3 The Regulated Qualifications Framework (RQF)

All of NALP's qualifications are part of the Regulated Qualifications Framework (RQF). The RQF provides a single, simple system for cataloguing all qualifications regulated by Ofqual. Like a bookcase in a library, qualifications are indexed by their 'level' and 'size'. Qualifications at any specific level can be very different from one another, for example in their content and purpose. NALP offers qualifications from Level 3 to Level 7. These levels can also be mapped to the General Qualifications and to Degree Level qualifications – for instance, a Level 3 qualification is usually mapped against an A-Level and a Level 7 is mapped as a Post-Graduate qualification.

**Qualification Level:** Levels indicate the difficulty and complexity of the knowledge and skills associated with any qualification. There are eight levels supported by three 'entry' levels. While most qualifications will be assigned a single level, some may span more than one.

**Qualification Size:** Size refers to the estimated total amount of time it could typically take to study and be assessed for a qualification. This can be anything from a matter of hours to several years of study and different Learners can take different amounts of time to study for the same qualification. Size is expressed in terms of Total Qualification Time. The part of that time typically spent being taught or supervised, rather than studying alone, is known as Guided Learning Hours. Qualifications can sit at different levels but require similar amounts of study and assessment time. Equally, qualifications at the same level can take different amounts of study and assessment time.

## 4. How to become a NALP Centre

All Centres must complete a Centre Application Form and Agreement which is available on our website [here](#). Please note that there are separate application forms for UK based and International Centres and applicants must be careful to complete the correct application.

The application form asks Centres to provide all the information we require to undertake our due diligence. In addition to completing the form, Centres are asked to provide copies of various policies and other evidence, such as résumés and qualification certificates for the teachers or tutors the Centre intends to employ to deliver NALP qualifications.

Subject to the Centre providing all required responses and evidence, plus payment of the appropriate fee, Centres will then need to undergo an initial visit prior to approval being granted. If the Centre is based within the UK, the cost of this visit is included in the Centre application fee. If a Centre is based outside of the UK, they will be required to cover the cost of travel and subsistence for up to two members of staff to conduct a visit. No such visit will be conducted unless NALP are satisfied that all other requirements have been met by the Centre to be granted approval. **Please note:** The Centre application fee is **non-refundable** regardless of the outcome of the application.

Once a Centre has undergone a full visit by NALP and approval is confirmed, a confirmation of Centre Approval will be issued within 10 working days.

Centres may only be approved for certain qualifications, depending on the qualifications and experience of its staff, therefore they must take care not to market any qualifications which are not specifically included in their approval confirmation.

### 4.1 Annual Re-Approval

All Centres are required to complete an annual re-approval document and reiterate their commitment to the Centre Agreement. This is to ensure that there have been no changes to the ownership or relevant staff employed by the Centre (e.g. teachers/tutors, etc.) and that the Centre has not been subject to any sanctions or other actions by another awarding organisation or other third party.

Centres are required to pay an annual re-approval fee which will include the cost of any external quality assurance activity for UK Centres, with International Centres being required to also cover the additional costs for travel and subsistence if a visit is deemed necessary.

### 4.2 Maintaining Approval

Centres must adhere to the requirements set out by NALP in the Centre Agreement and within other documents provided by us, such as this Centre Handbook and relevant Qualification Specifications. Any breach of these requirements will be investigated and could result in Sanctions being applied to the Centre up to, and including, the removal of Centre Approval.

### 4.3 Remaining Active

NALP has a regulatory responsibility to be able to undertake quality assurance activities on any Centres offering its qualifications. For this reason, it is important to ensure that a Centre remains actively marketing and delivering our qualifications. Whilst we understand that, during the first year of approval, some centres may take time to get their marketing, etc. in place so that they are able to start delivering, we impose a requirement that no rolling 12 month period elapses in which a Centre does not enrol learners or deliver our qualifications. Failure to do so may result in sanctions being applied up to, and including, the removal of Centre Approval or a refusal to renew Centre Approval at annual approval.

## 5. Responsibilities of a NALP Centre

As an Approved Centre of NALP, you will have certain responsibilities which you must comply with at all times. These are requirements which will ensure you continue to ensure that we, in turn, are able to comply with our Regulatory Responsibilities. The high-level ones are as follows:

## 5.1 Adequate Resources

Centres are required to ensure that they maintain sufficient staff, resources and systems necessary to support the delivery of the qualifications they hold approval for. In addition, if they are offering classroom style teaching as part of the delivery of our qualifications, they need to have, or have access to, a suitable venue for training. They must also have sufficient resources and procedures to maintain accurate records and deal with learner enquiries, complaints, appeals and requests for Reasonable Adjustments.

Some basic requirements are:

- Secure and reliable Internet Access – learning materials will be issued electronically so it will be imperative that a Centre has a reliable and secure internet provider. Any potential areas of weakness in this should be reported immediately to NALP for risk assessment and management.
- Secure Email – again, this will be for the receipt of learning materials and assignments, plus for returning completed assignments to NALP for assessment.
- Scanner – for scanning in assignments for return to NALP for assessment.
- Secure server (whether physical or cloud-based) – this should be encrypted to meet the requirements of the General Data Protection Regulations to secure the storage of the personal data of your learners and staff.
- Printer – for printing learning materials and assignments (if necessary).
- Computers – for accessing the NALP website, emails and downloading any relevant learning materials and assignments, etc.
- Locked cabinets for paper-based records – if a Centre retains any paper copies of learning materials, completed assignments or staff or learner personal data, these must be kept in secure, lockable cabinets, preferably metal.
- Qualified, experienced and trained staff – all staff should be appropriately qualified and experienced for the role that they hold and receive adequate training, not just in how the Centre operates, but in the requirements of delivering regulated qualifications such as NALP's. This includes administration staff who may help with enrolment or other areas relating to the delivery of our qualifications. Please see Section 5.4 for details of minimum qualifications and experience needed to deliver our Qualifications.

Centres should ensure that they refer to, and are conversant with, the relevant Qualification Specification for the qualifications they are approved to deliver, as well as the other information available on our website for all of those qualifications.

If a Centre does have any queries in respect of the resources they should have, they should contact us on [admin@nationalparalegals.co.uk](mailto:admin@nationalparalegals.co.uk).

## 5.2 Record Keeping and Access

All Centres must be able to keep secure records of all learners, enrolments, and teaching staff for a minimum of three years after the learner has completed their course and assignments or after a staff

member has left the Centre. All such records must be made available on request by a NALP External Quality Assurer or other representative or the Regulator. Whilst we always aim to provide Centres with reasonable notice of access being required, there are some instances where this may not be possible, for instance in the event of an investigation being necessary. Should a Centre refuse access to either ourselves, our representatives or to the Regulator, this will constitute a serious malpractice issue and sanctions up to and including withdrawal of approval for NALP qualifications may be applied.

Records can be held in paper or electronic formats, providing that they are kept secure and in line with the Data Protection Act 2018, the General Data Protection Regulations and the Privacy and Electronic Communications Regulations. Records include any completed course work or submitted assignments that you may hold for your learners.

### 5.3 Centre Staff and Their Roles

Centre staff are required to take on specific roles within their organisation in respect of the delivery and administration of NALP qualifications. This ensures that NALP can direct any communications to the appropriate individual to ensure that it is received and dealt with effectively.

It is likely that several different people will carry out these roles in larger Centres although we understand that in smaller Centres, one person may undertake a number of different roles.

Requirements for teaching staff directly involved in the delivery of qualifications are contained in Section 5.4 of this Handbook.

The details of the Centre's main roles and responsibilities, as per the Centre Approval Application Pack, are as follows:

- **Head of Centre:** This will be the named point of accountability. The Head of Centre must hold a sufficiently senior position within the organisation to be able to make decisions on behalf of the Centre and take responsibility for its adherence to the relevant requirements outlined in this, and other, NALP documents. NALP must be able to:
  - ✓ Rely on any statements made by the Head of Centre as being accurate and made on behalf of the Centre
  - ✓ Be able to treat any statement, request or notice that it provides to the Head of Centre as having been given to the Centre

In addition, the Head of Centre is responsible for:

- ✓ Ensuring that the Centre adheres to all relevant NALP policies and procedures and that all staff are aware of their responsibilities and meet all regulatory standards
- ✓ Ensuring that all staff are aware of and understand all relevant requirements contained in those policies and procedures, including this Handbook
- ✓ Ensuring that staff appointed to relevant roles have been adequately trained, understand the level of their individual responsibility and that they meet all responsibilities attributed to their individual role

Any regulatory, procedural or policy changes made by NALP or its Regulator will be issued to the Head of Centre and assumed to have been received and understood by the Centre as a whole.

Please note that if the Head of Centre chooses to delegate any of these duties, they will remain ultimately responsible for ensuring these are carried out correctly and in line with any relevant policies, procedures or regulations.

- **Examinations Officer:** All Centres delivering externally assessed qualifications must nominate an Examinations Officer who will be responsible for all administrative matters relating to the delivery of those qualifications including, but not limited to:
  - ✓ Ensuring effective record keeping
  - ✓ Ensuring all staff are provided with the appropriate training equipment, materials and documentation for the delivery of NALP qualifications
  - ✓ Ensuring that Learner enrolments are completed effectively, efficiently and in line with all NALP requirements, including timescales
  - ✓ Ensuring the security of any assignments either sent by NALP to be passed onto the Learners or completed by the Learners for submission to NALP both prior to, and post submission
  - ✓ Ensuring that all completed assignments are submitted to NALP within the required timescales
  - ✓ Ensuring any results or certificates are distributed to Learners promptly and securely once received from NALP
  - ✓ Authorising and coordinating all requests for certificate amendments or duplicate certificates as necessary
  - ✓ Ensuring the Centre has access to the Learning Records Service in order to obtain Unique Learner Numbers (ULNs) for their Learners, should a Learner request it
  - ✓ Ensuring any requests for ULNs are fulfilled and that the ULNs are provided to NALP as part of the enrolment process
  - ✓ Ensuring all documentation required for NALP external quality assurance desk-based audits or visits is available for inspection on request, including (as appropriate), any pre-enrolment assessments undertaken with the learners, learner feedback collected by the Centre, internal quality assurance records, staff records, etc.
- **Main Centre Contact:** We would normally ask that there is a single point of contact for the day to day communications with the Centre. This may be the Examinations Officer or the Head of Centre, but equally could be a suitably competent and trusted administrator.
- **Finance Contact:** This person would be the one to whom all invoices are sent and who has the responsibility of ensuring that these are paid in accordance with the NALP Invoicing Policy.

### 5.4 Teaching Staff Requirements

All NALP Centres are required to have teaching staff who are qualified and experienced to deliver the qualification(s) the Centre wishes to offer to its Learners. The minimum requirements for each level are as follows:

- **Level 3 Qualifications in Paralegal Practice (including Award, Certificate & Diploma):** A minimum of a Level 4 legal or paralegal qualification with at least 3 years' experience of teaching law, or a practitioner e.g. a practising solicitor, barrister who has been qualified for at least 1 year
- **Level 4 Diploma in Paralegal Studies:** An LLB Graduate or a Level 4 legal or paralegal qualification graduate with a minimum of 3 years' teaching experience in law, or a practitioner e.g. a practising solicitor, barrister who has been qualified for at least 1 year
- **Level 7 Diploma in Paralegal Practice:** A NALP Level 7 Diploma in Paralegal Practice or an LPC or BPTC Graduate with a minimum of 1 years' experience in teaching law or a practitioner e.g. a practising solicitor, barrister who has been qualified for at least 1 year

Obviously, those staff who are qualified to teach a Level 7 qualification will also be able to teach a Level 4 or 3 qualification, but centres need to be aware that they will not be approved to offer qualifications unless they can evidence that they have the correct staff in place to deliver them.

### 5.5 Changing Centre Information

We understand that there are times that things change at our Centres, however it is important that you keep us up to date with any such changes. For instance, if a new member of the teaching staff is recruited, we will need to know their names and have evidence of their qualifications and experience, just as we hold for the original staff. Similarly, when a staff member leaves then we will need to be informed of that, particularly in respect of teaching staff as this could affect your approval to deliver a particular level of qualification. We will also need to be advised of any changes to the named contacts we hold, such as Head of Centre, Examinations Officer, etc. All such changes should be emailed to us at [admin@nationalparalegals.co.uk](mailto:admin@nationalparalegals.co.uk).

### 5.6 Using the NALP Logo

Our Centres will be provided with a copy of our Logo for use on their websites and marketing material on request, following approval. However, this must **only** be used in direct relation to our qualifications or, if you have a page on your website dedicated to the awarding organisations you are approved by, on such generic information pages. Centres must be very clear that NALP only awards the specific regulated qualifications and must ensure that they do not give any impression that we endorse, award or support any other course or qualification they may offer.

### 5.7 Making Reference to the Regulator and Use of Their Logo

We are regulated by Ofqual – the Office of Qualifications and Examinations Regulation – who have a strict policy regarding their Logo that it **MUST NOT** be used other than by a recognised awarding organisation on the certificates issued for regulated qualifications. Centres are therefore **STRICTLY PROHIBITED** from using the Ofqual Logo in any way on any of their documentation, websites or marketing materials, etc.

Similarly, Centres must **NOT** refer to themselves as being ‘Approved’ by Ofqual or offering qualifications ‘Approved’ or ‘Accredited’ by Ofqual. This is a serious breach of Ofqual’s Conditions as it is considered misleading to the public. Any Centre found to be using such references to Ofqual will be asked to remove these immediately and, in the case of any paper-based material, will be asked to withdraw that material and destroy any copies.

Centres are recommended to use the following phrases when describing their approved status and the regulated status of the qualifications they are offering:

- Approved by NALP; an Awarding Organisation recognised by Ofqual
- Approved by NALP to offer qualifications included on the Register of Qualifications regulated by Ofqual
- Able to offer regulated qualifications under Approval by NALP, an Awarding Organisation recognised by Ofqual

If Centres are unsure if the wording they intend to use is compliant with this, please do not hesitate to contact us for further guidance.

### 5.8 Qualification Titling

It is a regulatory requirement that the qualification titles listed on their Register are used consistently whenever they are being referenced. It is important, therefore, that Centres ensure that they make the titles of the qualifications clear and keep them in line with the titles used on the Register and on the Qualification Specifications provided by NALP whenever they refer to the qualifications on their websites, marketing or any other materials they may provide to learners or make available to the general public.

### 5.9 Awareness and Understanding of NALP’s Policies

NALP publishes a number of Policies on our website which all approved Centres must ensure they and their staff, particularly those involved in the delivery of NALP qualifications, are fully conversant with and that, where appropriate, any policies they have are aligned with these. These include:

- Conflicts of Interest Policy
- Equality and Diversity Policy
- Quality Assurance and Moderation Policy
- Invoicing Policy
- Malpractice and Maladministration Policy
- Reasonable Adjustments and Special Considerations Policy
- Appeals Policy
- Enquiries Policy
- Complaints Policy

- Recognition of Prior Learning Policy

Whilst we will inform Centres if there has been any significant changes to our policies or if any new policy comes into force, it is the Centres' responsibility to ensure that they remain up to date with the policies and requirements of NALP and for remaining compliant with the same.

These policies can be found on our website, [here](#).

### 5.10 Complaints Handling

All Centres are required to have a full Complaints Policy or Procedure in place which must be easily accessible by all learners and potential learners. This Complaints Policy must include, but not be limited to:

- Contact details of who complaints should be sent to in the first instance
- Timescales for how quickly you will acknowledge a complaint (should be no more than 5 business days from receipt), how long it will take for you to provide a response (should be no more than 20 business days from receipt) and any internal escalation process you may have (if applicable, depending on the size and complexity of your business)
- Information on what will happen if you are unable to adhere to these timescales (e.g. that you will contact the complainant and give them a revised deadline which should be no more than 20 business days after the original deadline)
- Information that makes clear the distinction between an Appeal and a Complaint
- Brief summary of how a complaint will be considered / investigated
- Information on the process after a decision has been made, in particular the complainant's right to escalate a complaint to the Awarding Organisation if they are dissatisfied with the outcome from the Centre, and the fact that this will only be considered by an Awarding Organisation if the complainant has exhausted the Centre's complaints procedures.

### 5.11 Internal Quality Assurance

All Centres are required to have a written policy or procedure in place outlining their internal quality assurance processes. This will be checked as part of your Centre approval and subsequent annual re-approvals.

Centres are responsible for ensuring that they are conducting sufficient Internal Quality Assurance. What this will look like will depend on the size and complexity of the organisation; for instance, if the centre only employs one teacher, they will not be expected to undertake standardisation, etc. However, as a minimum, all teachers should maintain a full record of their Continuing Professional Development (CPD) which should include any self-learning they undertake, such as reading any legal updates or articles, as well as any information provided by NALP on our qualifications, plus any more formal learning, conferences, seminars, webinars or other relevant events they may attend.

Internal Quality Assurance should also include a regular review of any feedback from learners that the Centre may gather, identifying any trends, whether positive or negative, and acting accordingly.



As NALP Centres do not make assessment decisions it is not necessary to do IQA checks on these, however, it is necessary to ensure that all teachers understand the assessment methodologies used by NALP and that they are all fully familiar with the Qualification Specification(s) for the qualification(s) they deliver and all other guidance and sample materials provided by NALP and published on our website.

### 5.12 Malpractice & Maladministration

It is a Regulatory requirement that all Centres have a written policy or procedure in place detailing how they will deal with any instances of malpractice or maladministration, including that committed by learners or internally by their own staff, contractors or freelancers. This should cover scenarios including, but not limited to:

- Learner collusion
- Learner plagiarism
- Teacher/trainer being complicit in learner malpractice (e.g. providing answers to assignments, etc.)
- Breach of security of assessment materials (e.g. retaining 'live' assignment papers and using these in lessons; or otherwise sharing the content of 'live' assignment papers – this does not apply to the sample assignment questions published by NALP on our website). For clarity, Centres are allowed to retain assignment papers completed by their Learners as part of their Learner Records, but must not use the questions and scenarios therein during lessons, etc. but only when providing feedback to the individual learner whose work is contained in that completed assignment)
- Failure to request a reasonable assessment or special consideration prior to the request for assignment or not requesting a special consideration that they could not previously have been aware of (such as a sudden illness or injury, etc.) immediately they become aware of it
- Failure to ascertain that a learner has the need for a reasonable adjustment prior to enrolment and/or request for assignment
- Failure to submit a learner's completed assignment by the deadline given
- A Learner failing to complete their assignment by the deadline given
- Failure to identify, manage or notify NALP of a Conflict of Interest or potential Conflict of Interest

The procedures should state who will be responsible for ensuring that the investigation is undertaken in a robust and suitable manner; who will be responsible for informing NALP (can refer to a generic Awarding Organisation if the Centre is approved by more than one) and when such a notification will be made; and any actions that might be taken against the learner or staff member (where appropriate) responsible for the malpractice or maladministration. It should also state how 'lessons learned' will be managed and passed to other members to staff to prevent recurrence.

Centres should refer to the NALP Malpractice & Maladministration Policy which can be found on our website [here](#).

### 5.13 Conflicts of Interest

Conflicts of Interest can, and do, happen when delivering qualifications or running any form of business. The Ofqual General Conditions of Recognition require all Awarding Organisations and their Centres to be able to identify, record, manage and monitor any such Conflicts.

A Conflict of Interest can occur in a variety of ways which, due to the fact that NALP undertake all the assessment decisions for the qualifications we offer, would not usually have an adverse effect on the validity of the qualification. However, that does not mean that these should not be identified and recorded.

All centres must be aware of and be able to effectively manage and monitor any potential conflicts of interest. In addition, any Conflicts of Interest that have been identified **MUST** be notified to NALP as soon as practicable.

Centres can find full details of the requirements in respect of Conflicts of Interest in our Conflicts of Interest Policy which can be found on our website, [here](#).

### 5.14 Fees and Invoicing

Under the Conditions of Recognition, all Recognised Awarding Organisations are required to publish an Invoicing Policy. This can be found on our website, [here](#).

Centres are required to ensure they adhere to the conditions for payment of fees and invoices set out in the NALP Invoicing Policy. This includes the payments for initial approval, any additional fees for an approval visit (International Centres Only\*), annual reapproval, enrolment and certification fees, etc.

**\*International Centre – Pre-approval and external quality assurance visit expenses** – in addition to the approval and annual re-approval fees, all international centres will be expected to cover the cost of travel, accommodation and general subsistence expenses incurred to undertake a pre-approval visit for up to two members of NALP staff. It is usual procedure to gather an estimate for the flights and accommodation and request a payment for this prior to the visit being confirmed.

## 6. Enrolling Learners

All learners must be enrolled with NALP as soon as they have enrolled with a Centre and, in any event, prior to any assessment materials being requested.

All Centres are required to have a clear process for the registration and enrolment of learners. This must include a registration form which gathers at least the following information:

- Full name and title of learner
- Date of Birth of learner
- Full postal address of learner
- Confirmed contact details – e.g. email address\* and/or telephone number
- Copy of official identification

- Indication of the need for a Reasonable Adjustment (e.g. special education need, such as dyslexia or dyspraxia; or physical disability such as visual impairment, etc.) See our Reasonable Adjustments and Special Considerations Policy [here](#)

**\*Note:** This must be a personal email address and not one attached to the Centre or college.

As these details will be used to complete the name, etc. included on any qualification certificate provided by NALP, it is vitally important that they are completed accurately and that all spellings are correct. Any errors that require a new certificate will be chargeable to the Centre.

Centres are reminded that, under the Data Protection Act 2018, they are required to ensure that all Learners are informed that their data will be shared with NALP for the purposes of assessing and awarding the qualifications for which they enrol. They will therefore be required to include such a statement on all enrolment / learner registration forms.

If a Centre does not have a suitable enrolment form, NALP is able to assist them with either reviewing what they intend to us and making suggestions for amendments or providing them with a standard form for use for all learners enrolled on NALP qualification.

## 7. Delivering the Qualifications

The NALP qualifications were originally designed for distance learning, however, we recognise that this is not the only method of delivery and many learners prefer to attend a Centre where they will receive additional support and face-to-face learning, whether in a classroom setting or via a remote web-learning application. Here we have set out some of the basic information Centres need to know in relation to the delivery of our qualifications, including the guidance documents we provide and other important documents that you need to be conversant with if you are going to be delivering a NALP qualification, regardless of the method of delivery you choose to offer.

### 7.1 Workbooks

Regardless of which form of delivery a Centre offers, or learners request, NALP will always provide the workbooks for learners.

These workbooks contain just about all the information that a learner would require to enable them to successfully understand and complete the assignments set on which assessment decisions are made, with minimal additional research required.

Centres are, of course, welcome to develop their own study materials, however, they need to ensure that this will ensure that the learner is provided with the correct information to allow them to attain the qualification. NALP cannot be held responsible for the content of study material that has not been authored by them.

Whether a Centre decides to utilise the NALP workbooks or not, the cost of the qualifications remains the same. Centres are not permitted to reproduce the NALP workbook, in whole or in part, and use it under their own branding without the express prior written permission of NALP.

## 7.2 Qualification Specification

All NALP qualifications have a corresponding Qualification Specification, adhering to the requirements of Ofqual’s General Conditions of Recognition. All staff members involved in the delivery and administration of NALP qualifications should be aware of the content of this document as it includes important information regarding the qualification(s) being delivered, including (but not limited to):

- Objectives of the qualification
- Entry requirements for learners
- Details of the assessment, e.g:
  - Assessment methodology and time restrictions
  - Marking the assessment
  - Arrangements for Reasonable Adjustments and Special Considerations
  - Arrangements for Appeals
- Details of the units attached to the qualification(s) including which are mandatory and which are optional (also referred to as the ‘Rules of Combination’ – where applicable) and setting out the Learning Outcomes and Assessment Criteria that learners will need to achieve in order to gain the qualification

Qualification Specifications are available on the NALP web page corresponding to the qualification being taken. These are all publicly available documents and we would always recommend that Centres ensure that learners are aware of these, particularly if they are delivering the qualification via a distance or E-Learning offering.

These can be updated from time to time, so it is the responsibility of the Centre to ensure they are using the most up-to-date version of the Specification.

The Qualification Specifications can be found under the ‘Learners’ tab on the NALP website, as follows:



## 7.3 Sample Assignment Questions

NALP provides sample assignment questions which are publicly accessible via our website. These can be found under the ‘Learners’ tab by following the page to the specific qualification being taken and scrolling to the bottom of the page where you will find a link to the sample question, e.g:



## 7.4 Assignment Guides

In addition to the workbooks, NALP has also produced a ‘Guide for Learners’ for the qualifications we offer which Centres should also provide to their learners. This can be found by scrolling to the bottom of the page for the individual qualification on the NALP website under the ‘Learners’ tab, e.g:



This document contains some very useful information for learners, in particular it sets out how the assignments are set, reiterates the timescales within which they must complete them and how grading will be applied. It also sets out some specific information in relation to how any requests for special considerations or reasonable adjustments might be handled.

## 7.5 Tutorial Support

Regardless of the method of delivery you choose to offer your learners, all Centres are required to have suitable tutorial support available that learners can access.

- **Distance / E-Learning** – Whilst your contact with learners in these cases may be minimal, you are still required to have suitably qualified staff who can deal with any queries or issues that might arise in respect of the study material or the assignments that are set.
- **Blended Learning** – This is where you may provide some video or face-to-face teaching, coaching or mentoring, whether this is cohort based or on a one-to-one basis, alongside a distance or E-learning package. Any tutors or teachers who provide the teaching must be suitably qualified for the qualification they are delivering and must fully understand the content of the qualification, the learning outcomes and the assessment criteria.
- **Classroom Learning** – If you are running full courses where the learners attend a classroom-based session, then all teachers or tutors delivering this must be suitably qualified to deliver that qualification, as set out in section 5.4 of this Handbook. As with all such teaching, Centres must ensure that they have a full lesson plan, etc. in place that covers all of the points necessary to be taught to ensure that the learners can achieve all of the learning outcomes and assessment criteria set out in the Qualification Specification. Centres may be asked to supply a copy of this lesson plan and any other teaching aids they may use, to NALP as part of our External Quality Assurance processes, so it is important that these are kept up to date and made available for such inspection.

### 7.6 Other Support from NALP

All Centres can request support or guidance from NALP as required in respect of the content of the qualifications, the workbooks and the assignments. This is usually provided free of charge, and new Centres in particular are encouraged to contact us with any questions as it is better to start off with a full understanding as not doing so could adversely affect the learners studying at your centre.

NALP reserves the right to charge Centres for provision of extensive training. This is only applicable in **exceptional** cases where a Centre has been Approved for over 6 months during which time they have been actively delivering NALP qualifications, but who are still posing questions on even the most basic of topics, taking up far more time than would usually be considered reasonable for a professional training organisation with a fully qualified complement of staff.

If it suits the Centre, NALP will provide a full day's train-the-trainer event to go through every aspect of the delivery of the qualification, the cost of which is to be borne by the Centre, starting at £350.00, plus travel and subsistence.

## 8. External Quality Assurance

External Quality Assurance is the process undertaken by Awarding Organisations to ensure that all Centres are delivering the qualifications they offer to the same standards. This is to ensure that our qualifications continue to comply with the Ofqual General Conditions of Recognition which require all Regulated Qualifications to meet the requirements of:

- Validity
- Reliability
- Comparability
- Manageability, and

- Minimising Bias

This means that all learners should receive the same standard of information and have the same chance of achieving a qualification, regardless of the Centre they study with or the method of study chosen.

### 8.1. Risk Based Approach

All External Quality Assurance is undertaken on a 'Risk based approach' which means that we will look at the risk of a centre and of the qualifications it is offering and based the type and frequency of External Quality Assurance activity we undertake. Some things that may increase the risk posed by a Centre include:

- **Being a newly Approved Centre** – All new centres are classed as 'high risk' until we have undertaken the assessment of at least 10 learners' assignments from that Centre. This is because we require a sufficient sample to be able to identify if the results from the Centre are broadly in line with other Centres and if there are any recurring issues that have not been addressed by the Centre.
- **Having a Lower-Than-Average Pass Rate** – We monitor the pass rates for all centres. If there is a Centre that has a significantly lower than average pass rate, we would look to investigate the reasons for this as it could indicate a problem in the delivery of the qualification that could disadvantage the learners from that centre.
- **Continued Maladministration** – if a Centre has been found to have committed some form of maladministration, it will be logged, and they will be informed of the error. If they continue to have reports of maladministration, particularly if it has been on the same or similar issues recurring and the Centre has not acted on the feedback given, then this will increase the Risk Rating of the Centre.
- **Potential or Suspected Malpractice** – If there is any reason to think that malpractice has occurred at a Centre, the risk rating will automatically be raised until such time as the issue has been resolved. This may include where we find indications that a Centre may be using live assignment questions in their teaching of students rather than just the sample questions provided on our website, or where we find instances of plagiarism in the work submitted by the learners of that Centre, etc.
- **Conflicts of Interest** – if a conflict of interest is uncovered that has not been notified to NALP by the Centre and so might not have been effectively managed, then this will raise the risk rating of a Centre.
- **External Intelligence** – NALP may sometimes receive reports from third parties, or via our monitoring of social media, etc., that indicates that there is something that a Centre has not informed us of which might adversely affect the reputation of that Centre or of our qualifications. This can include a change of management/ownership, churning of staff, poor reviews on review sites or social media, whistleblowing notifications or notifications from other Awarding Organisations, etc.

Depending on the risk involved, NALP may undertake to open an investigation into a Centre.

### 8.2. General Monitoring visits

NALP is required to ensure that it undertakes general monitoring visits on all of its Centres, regardless of where in the world they are based. In the case of Centres based in the UK, the cost of this is covered by your Annual Centre Approval Fee and will normally take no longer than one business day to carry out. For International Centres, your Annual Centre Fee covers the cost of the time taken to carry out such a visit, as this is normally a few days including travel time, but the cost of travel, accommodation and general subsistence expenses will need to be borne by the Centre in addition to this.

A General Monitoring Visit will normally cover:

- Review of record keeping in respect of staff and learners
- Interviews with staff, including trainers/trainers/mentors and administration staff
- Checking a sample of records for completeness and accuracy, etc.
- Comparison of records seen with the corresponding records held by NALP
- Checking regulatory databases that the Centre is required to be on, such as the ICO Register, etc. (where applicable)
- Checking lesson plans and other teaching aids and equipment utilised by the Centre
- Observation of a teaching session (where applicable)

Following the visit, a Centre will receive a copy of the Visit Report including an Action Plan where necessary. If there have been any issues found, sanctions may be applied in line with the Sanctions Policy, which can be found on our website, [here](#).

### 8.3. Reapproval or Investigatory Visits

In addition to General Monitoring Visits, it may be necessary for NALP to undertake additional visits in certain circumstances. Whilst not an exclusive list, the main reasons for such a visit might be:

- A change has occurred at the Centre, e.g. a change in ownership or management; change of address; high turnover of teaching staff
- Potential or suspected malpractice or continual maladministration

Where such a visit is required, NALP will normally provide reasonable notice, however, if the risk is in respect of Potential or suspected malpractice, a visit may be undertaken that is unannounced.

**Centres are required to allow access to NALP or its representatives (or the Regulator) during any normal business hours (as displayed by the Centre on marketing, websites or social media, etc.). Failure to adhere to this could mean immediate and irretrievable revocation of your Centre Approval.**

If a Centre is found to have committed, or been complicit in, Malpractice or serious and/or continued maladministration, NALP reserve the right to charge a Centre for the visit undertaken at a cost of £350.00 per day (plus travel, accommodation and subsistence expenses if for an International Centre).



Centres should refer to our Malpractice and Maladministration Policy for full details of how investigations are undertaken. This can be found on our website, [here](#).