

NALP Level 3 Award in Consumer Law and Advice for Paralegals Qualification Specification

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National Association of Licensed Paralegals (NALP)

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1. Introduction

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

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.

2. Summary of the NALP Level 3 Award in Consumer Law and Advice for Paralegals

The NALP Level 3 Award in Consumer Law and Advice for Paralegals provides a strong introduction and foundation for Paralegals wishing to work in the Consumer Law and Advice sector. It can also provide additional knowledge to Paralegals who are changing their area of expertise, wish to update their knowledge and understanding of this subject or for apprentice Paralegals who wish to take additional qualifications alongside their level 3 Paralegal apprenticeship.

3. Objectives of the Qualification

The NALP Level 3 Award in Consumer Law and Advice for Paralegals is designed for paralegals, and those who aspire to train to become paralegals, or those who wish to enter the legal sector and seek to develop key skills and knowledge around Commercial Law and Advice under the laws of England and Wales. It may also be useful to individuals working in other sectors where they may have an interest in Commercial Law and Advice under English Law.

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

Learners who successfully achieve NALP Level 3 in Commercial Law and Advice for Paralegals will gain a recognised and respected qualification that will aid them in their career entry and progression.

The NALP Level 3 Award in Commercial law and Advice for Paralegals does not, on its own, allow the learner to meet the criteria of a NALP Paralegal Technician membership level. Learners seeking to increase their level of NALP Membership will be required to undertake a NALP Level 3 Certificate qualification (or equivalent) or to have completed the Level 3 Paralegal Apprenticeship Standard in order to gain a higher NALP membership level.

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 (e.g. Level 1-2 as a minimum). 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. This would normally include the learner having at least a basic understanding of the English Legal System which forms the basis of any English Law qualification.

All Learners must hold at least Affiliate Membership of NALP. One year's Affiliate Membership is provided to all Learners who enrol on the NALP Level 3 Award in Consumer Law and Advice for Paralegals, but this must be renewed for those whose studies continue beyond that period at the Learner's expense.

5. Recognition of Prior Learning

Due to the size of this qualification being a single unit recognition of prior learning is not available.

6. Progression for Learners

The Level 3 Award in Consumer Law and Advice for Paralegals provides learners with additional skills and knowledge to increase employability for jobs that require an understanding of Consumer Law under English Law. It can be also used under Recognition of Prior learning for larger qualifications, such as the NALP Level 3 Certificate in Paralegal Practice or the NALP Level 3 Diploma in Paralegal Practice.

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".

The NALP Level 3 in Consumer Law and Advice for Paralegals is delivered by various different training institutions, called 'Centres', which can use a variety of delivery methods, e.g:

- **Distance Learning** – the learner undertakes the vast majority of their learning via self-study using the NALP workbook or e-learning packages provided by the Centre. They may request additional tutorial support which the Centre is required to provide, but this is often not on a regular basis but rather an 'on demand' service.
- **Blended Learning** – the learner attends some pre-arranged face to face teaching sessions, which can be classroom based or via a live video link with the tutor, and also conducts some self-study, the latter often being set by their teacher/tutor as a form of homework, usually using the NALP workbook.
- **Classroom Based Learning** – the learner attends regular classes for the majority of their learning, undertaking assigned homework. Again the classes can be in a physical classroom with a teacher or via a live video link. The expectation is that learners will also be given the NALP workbook by their Centre to use for the assigned homework.

It should be noted that NALP assignments are based on the content of the NALP workbooks provided so it is important that all learners have access to these and/or that the teaching is based on that content.

NALP has calculated that the GLH for the Level 3 Award in Consumer Law and Advice for Paralegals will equal approximately 57% of the overall study time necessary to pass the units needed to attain these qualifications for those learning in a classroom setting and has therefore set our GLH at around that figure. Please note that this is based on the 'average learner' studying in the classroom setting, which means someone who has not previously studied Consumer Law in any form and so is starting from a basis of having very little previous knowledge or understanding of the subject. This is because this qualification is considered 'entry level'. 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 this qualification chosen in a shorter timeframe.

Dependent on their chosen way of learning, a learner may spend more or less time on GLH than is given in the table below. This should, therefore, only be considered a rough guide and not a strict rule as to the hours a learner is required to be taught directly. The overall TQT should be a fair approximation of the total hours it would take an average learner to complete the qualification, regardless of the method of learning chosen.

The total TQT represents the total time an average Learner might spend studying for this single unit qualification plus completing a single attempt at the assignment.

Unit	Title	GLH	Self-study and assignment	Total TQT
38	Consumer Law and Advice for Paralegals	37	28	65

8. 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 our Level 3 qualifications. NALP also provides full Learner Guides which provides lots of information, hints and tips regarding how to complete the assignments that are set for each unit of study. These guides are also available to download from NALP's website at <https://www.nationalparalegals.co.uk/qualifications/level-3/>. The workbooks are only available to enrolled learners via their chosen training centre/college.

As part of their approval process, NALP ensures that all of our approved training centres have suitably trained and experienced staff that 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.

Note: NALP is unable to provide any tutorial assistance to learners. Learners should always contact their chosen Centre for any queries or requests for tutorials, etc.

9. Assessment

9.1. Assessment Methodology and Time Restrictions

As this qualification is made up of a single unit it is assessed via one written assignment for the learner to complete over a four-week period.

In order to achieve the NALP Level 3 Award in Consumer Law and Advice for Paralegals qualification a learner must have completed and achieved the required pass mark within 12 months of initial enrolment with a NALP approved Centre.

Whilst this the maximum timeframe it is normal for a learner to have completed their studies within 3-6 months, studying 5-10 hours per week.

If a learner fails to pass the required assessment for this qualification within this timeframe they will be required to re-enrol, including payment of new enrolment fees.

9.2. Availability of Sample Assessments

Sample Level 3 assignment questions can be found on the website here:
<https://www.nationalparalegals.co.uk/qualifications/level-3/>

9.3. Marking the Assessment

Learners will submit their completed assignments to their Centres who will, in turn, submit these to NALP for marking. All submissions must be received by the deadline provided at the time the assignment was issued to the Centre. Late submissions will not be accepted.

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

Unit assignments are graded pass or re-sit. A pass is achieved when a Learner gains 45% or above and has passed all the Learning Outcomes.

If a Learner has failed to achieve 45% overall, they will be required to re-sit the assessment with a new assignment and will have a further four-week period in which to do so.

9.4. Reasonable Adjustments and Special Considerations

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

Requests for special considerations may be considered at or after the time of the assessment but must be received before the date the assignment is due for submission.

Where such a request includes provision of additional time to complete a qualification and/or assignment(s), the maximum time allowed will not exceed 25% of the usual required time for completion of the qualification and/or assignment(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 15 months.

As all assignments are required to be completed and submitted within 4 weeks of it being sent to the learner, the maximum extension allowable under Reasonable Adjustments or Special Considerations is 1 week (7 calendar days) for any single assignment attempt.

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.

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/reasonable-adjustments-and-special-considerations-policy/>.

9.5. Appeals

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

<https://www.nationalparalegals.co.uk/wp-content/uploads/2023/01/Appeals-Policy-V8-January-2023.pdf>.

Learners should note that appeals are not allowed on the sole basis of a disagreement with an academic judgment made by an assessor without additional clear justification and evidence. See policy for full details.

10. Quality Assurance and Moderation

As all assessments are set and marked externally by NALP (i.e. the Centres do not draft or mark their Learners' papers). NALP has in place a Quality Assurance and Moderation Policy covering all assessment results (copy available on request). 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. This also ensures that any learner who achieves a 'borderline' score (i.e. within 1-2% of a pass) will have their results double checked before being issued.

Because NALP assessments are externally set and marked by NALP, they are not subject to the requirements of the Centre Assessment Standards Scrutiny (CASS) conditions under Ofqual.

11. Award and Publication of Results

Once assessments have been marked and it has been confirmed the Learner has successfully attained the full qualification, a full Qualification Certificate will be issued. NALP aims to issue all results and certificates within four weeks of completion of a qualification.

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 £27.50. The form is available from the website and you can pay the fee via the website also: <https://www.nationalparalegals.co.uk/replacement-certificate/>.

12. Units for the Qualification

NALP Unit Ref:	38	Ofqual Unit Ref:	T/505/5919
Unit Name:	Consumer Law and Advice for Paralegals		
Aim of Unit:	The aim of the unit is to provide the learner with detailed knowledge of key consumer legislation in England and Wales and the practice of providing initial consumer advice. In understanding consumer law and the procedure for providing initial consumer advice, the learner will be ready to progress onto a higher level of learning in related substantive law areas. The learner will understand the roles that can be played by Paralegals in consumer advice centres, law firms; private companies; local authorities and as a freelance paralegal. In addition, it will provide legal knowledge on dispute resolution and will enable the learner to use and interpret legal language. The skills developed by the learner include: the ability to identify and use factual, procedural and theoretical understanding to complete tasks and address well defined but complex or non-routine issues; time management to include taking responsibility for initiating and completing tasks; the ability to exercise autonomy and judgement within a given scenario; the ability to use and interpret legal language.		
Learning Outcomes	Assessment Criteria	Indicative Content	
1. An ability to Identify a client's needs and know how and when to refer a matter to a senior or specialist adviser	1.1 Explain why it is important to establish the client's needs	Include: Researching the client's needs; analysing client information.	
	1.2 Explain how to research resources and information to advise on a matter	Include: Defining the client's needs; analysing organisational, ethical and legal requirements in providing initial legal advice.	
	1.3 Analyse client information to be able to define the client's needs	Include: Establishing the type of initial legal advice that is appropriate to meet the client's needs.	
	1.4 Evaluate why it is important to work within your range of competency	Include: The importance of working within one's own level of competence.	

	1.5 Identify and explain when to refer a matter to a senior or specialist adviser	Include: Understanding the processes to be able to identify when a client should be referred to a specialist or senior adviser; understanding the procedures that must be followed when referring clients.
	1.6 Confirm client needs and expectations with the client	Include: taking notes and feeding this back to the client
2. A thorough understanding of the nature of consumer law and practice in England and Wales	2.1 Summarise the key legal principles that protect consumers where goods or services are supplied	Include: To provide consumer protection; to provide a means of resolving disputes; the key sources of consumer law; the basic principles of legal liability; the relationship between a supplier and a consumer.
	2.2 Explain the statutory rights available to clients under consumer and contract law	Include: Statutory rights and remedies under contract and consumer law; key principles of the consumer law legislative framework; Goods and Services; cancellation rights.
	2.3 Explain the main provisions of Sale of Goods Act 1979 and the Supply of Goods and Services Act 1982 and summarise how these have been affected by the Consumer Rights Act 2015	Include: application of the law on the sale of goods and services; common law and statutory protection from the use of exclusion clauses; contractual principles in the supplier/consumer relationship; Conditional Sale/Hire Purchase; Sale of Goods Act; supply of Goods and Services Act; Misrepresentation Act;
	2.4 Summarise the Consumer Protection (Distance Selling) Regulations 2000 (as amended in 2015)	Include: Consumer rights under the Consumer Contracts (Amendments) regulations 2015

	2.5 Analyse how the Consumer Credit Act 1974 affects consumers	Include: Terms in Consumer Contracts Regulations; Doorstep Selling Regulations, Consumer Protection Regulations; Limitation of actions
	2.6 Explain how consumers are protected under the provisions of the Consumer Rights Act 2015 with reference to the Unfair Terms in Consumer Contracts Regulations 1999 and the Consumer Protection from Unfair Trading Regulations 2008	Include: how consumers are currently protected by the Consumer Rights Act in relation to unfair contract terms.
	2.7 Explain the main provisions that protect consumers under the Payment Services Regulations 2009 (as amended)	Include: protective provisions under the Payment Services Regulations 2017
3. A detailed knowledge of the remedies available to the consumer for a breach of consumer law and the range of sanctions	3.1 Explain the statutory remedies available to clients under consumer and contract law	Include: remedies under the Consumer Rights Act – enforcing terms about goods, right to reject or partially reject, damages
	3.2 Explain the cancellation rights available to clients for contracts entered into under differing trading practices	Include: rights under the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 for goods and service
	3.3 Summarise the main provisions of alternate dispute resolution and arbitration and the time-limits	Include: The range of ADR; mediation, arbitration etc:
	3.4 Explain the process and procedure of bringing a claim in the county court	Include: establishing a case, letter of claim, issuing a claim form, funding and the process through the court

	3.5 Understand how unfair trading practices can be challenged	Include: Public bodies given authority to regulate traders, regulations and trading standards
4. An ability to provide initial advice appropriate to the client's needs	4.1 Explain the role of consumer organisations and how they can support consumers	Include: citizens advice, CMA, ombudsman schemes, trading standards, consumer and trade associations etc:
	4.2 Analyse the range of legal advice that can be provided to the client	Include: settling, the range of agencies that can render assistance and what advice is given if loss suffered
	4.3 Advise the client of the options available to them	Include: Confirming the client's needs; advising the client on all the options available to them in relation to their problem.
	4.4 Explain how you would check the clients understanding	Include: Analyse and check the client's understanding of the options.
	4.5 Summarise how you would agree actions with the client	Include: Agree any follow up actions to be done;
	4.6 Explain the need to record and store client information in accordance with legal and organisational requirements	Include: record advice in accordance with the organisation practices.