

# NALP Level 3 Award in Conveyancing for Paralegals

## Qualification Specification

**Qualification Reference No: 610/2781/9**

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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 Conveyancing for Paralegals**

The NALP Level 3 Award in Conveyancing for Paralegals provides a strong introduction and foundation for Paralegals wishing to work in the Conveyancing 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 Conveyancing 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 Conveyancing 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 Conveyancing 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 Award in Conveyancing 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 Conveyancing 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.

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 Conveyancing 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 comprised of a single unit, recognition of prior learning is not available.

## 6. Progression for Learners

The Level 3 Award in Conveyancing for Paralegals provides learners with additional skills and knowledge to increase employability for jobs that require an understanding of Conveyancing Law under English Law. It can be also used under Recognition of Prior Learning for larger qualifications, such as the NALP Level 3 Award in Paralegal Practice, 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 Conveyancing 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 Conveyancing for Paralegals will equal approximately 63% 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 Conveyancing 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.

| <b>Unit</b> | <b>Title</b>                | <b>GLH</b> | <b>Self-study<br/>and<br/>assignment</b> | <b>Total TQT</b> |
|-------------|-----------------------------|------------|--|------------------|
| 36          | Conveyancing for Paralegals | 50         | 30                                       | 80               |

## **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 Conveyancing 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 is 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 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 an assignment or full 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 Qualifications

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| <b>NALP Unit Ref:</b>   | 36   | <b>Ofqual Unit Ref:</b>   | A/504/6039   |
| <b>Unit Name:</b>   | <b>Conveyancing for Paralegals</b>   |   |  |
| <b>Aim of Unit:</b>   | <p>The aim of the unit is to provide the learner with detailed knowledge of the conveyancing procedure. The learner will understand the conveyancing process in England and Wales and be able to apply that knowledge to given scenarios. In particular, the learner will understand the role of the Paralegal in taking instructions from clients and matters relating to the client interview. 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.</p> |   |  |
| <b>Learning Outcomes</b>  |  | <b>Assessment Criteria</b>  | <b>Indicative Content</b>  |
| 1. Understand the difference between registered and unregistered land   |  | 1.1 Identify and describe the differences between registered and unregistered land      | <b>Include:</b> the consequence of having a central land registry and what the advantages are.                                 |
|   |  | 1.2 Explain the main differences between registered and unregistered conveyancing       | <b>Include:</b> simpler conveyancing process, proof of title dependent on what is registered without proving title             |
| 2. Understand how to take standard instructions on the sale and purchase of land and the initial matters that need to be dealt with at the client interview |  | 2.1 Explain the differences between a joint tenancy and a tenancy in common             | <b>Include:</b> definition of joint tenancy, rights of survivorship etc: definition of tenancy in common, ownership in shares. |
|   |  | 2.2 Explain the need for and the different types of survey prior to purchasing property | <b>Include:</b> basic valuation; home buyers valuation and survey report; full structural survey.                              |

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|  | 2.3 Explain the requirement to pay stamp duty land tax                      | <b>Include:</b> Residential and higher rates   |
|  | 2.4 Describe and apply client care procedures to a given scenario           | <b>Include:</b> advice on costs; complaints handling; time scales; proposed action; client care letter.  |
|  | 2.5 Demonstrate a thorough understanding of aspects of professional conduct | <b>Include:</b> confidentiality, money laundering; checking evidence of identity and source of funds, acting for buyer and seller and the Law Society's Conveyancing Protocol.   |
| 3. Know the steps of the conveyancing process pre-contract | 3.1 Explain the steps to be taken in order to draft a contract for sale     | <b>Include:</b> Registered, unregistered and leasehold land: office copies; form and content of Land Registry entries and Title plans; obtaining deeds or lease; deducing and investigating seller's title; duty of disclosure; seller's capacity to sell; occupiers; contents of contract; standard Conditions of Sale 5th edition. |
|  | 3.2 Describe the procedures for making pre-contract searches                | <b>Include:</b> Registered and unregistered land; NLIS; local authority LLC1, water co, coal mining, index map, land charges, environmental, co search.  |
|  | 3.3 Describe the procedures for making pre-contract enquiries               | <b>Include:</b> Property info forms TA6 and 7; Form Con29L, specific enquiries, disputes, notices, boundaries, services, covenants, occupiers, planning, misrepresentation.  |
|  | 3.4 Explain the requirements for a valid contract                           | <b>Include:</b> Section 2 of the Law of Property (Miscellaneous Provisions) Act 1989.  |
|  | 3.5 Demonstrate the use of pre-contract processes to a given scenario       | Use understanding demonstrated above and apply to a specific given scenario, ensuring the relation to that scenario is clear and not generalised.  |

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| 4. Know the procedure for exchange of contracts          | 4.1 Explain when contracts can be exchanged   | <b>Include:</b> at what point in the process can contracts be exchanged e.g. after buyer's pre-contract searches & enquiries are completed and buyer is satisfied and has funds  |
|  | 4.2 Explain the effect of a binding contract  | <b>Include:</b> Seller's duty as trustee and buyer's responsibilities after exchange   |
|  | 4.3 Explain the methods of exchange   | <b>Include:</b> In person; by post; by telephone Formula A, B, C.  |
|  | 4.4 Apply knowledge of the procedure for exchange of contracts to a given scenario    | Use understanding demonstrated above and apply to a specific given scenario, ensuring the relation to that scenario is clear and not generalised. (e.g. Residential Property, Acting for buyer or seller).   |
| 5. Understand how to complete a conveyancing transaction | 5.1 Identify and describe pre-completion searches                                     | <b>Include:</b> all pre-contract searches relating to the property with various outside bodies (such as The Local Council, the Coal Board, the County Council, the Land Registry etc.), to check whether there is anything adverse which might affect the property |
|  | 5.2 Describe the contents and purpose of a pre-completion checklist                   | <b>Include:</b> content of checklist for buyer and for seller are different – helps to organise what needs to be done and in what order  |
|  | 5.3 Demonstrate an understanding of the purpose and content of a completion statement | <b>Include:</b> what a completion Statement is and what it is for re Buyer and seller in a residential property transaction  |
| 6. Understand post-completion matters                    | 6.1 Explain how the mortgage is discharged  | <b>Include:</b> Land registry prefers electronic discharge via END1 form   |
|  | 6.2 Explain the thresholds for SDLT   | <b>Include:</b> Thresholds vary for Residential properties from 0%-12% on value of property  |

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|  | 6.3 Explain the procedure for discharging SDLT                         | <b>Include:</b> Form SDLT1 completed and sent to HMRC   |
|  | 6.4 Describe how to register the transfer of Title                     | <b>Include:</b> buyer's solicitor responsible completing form AP1 and sending all documents to land registry together with DS1 (discharge of mortgage if any) |
|  | 6.5 Demonstrate the use of post completion matters to a given scenario | Use understanding demonstrated above and apply to a specific given scenario, ensuring the relation to that scenario is clear and not generalised              |