

Appendix A – Mandatory and Core Outcomes

Notes

1. Positive indicators are not exhaustive, and are potential indicators of student achievements. There may be other ways to indicate achievement of a given outcome and indicators should take into account reasonable adjustments.
2. The Society reserves the right to update the Mandatory and Core Outcomes should that be necessary, and will give providers sufficient notice of this.
3. The outlined forms of assessment are suggestions only and are subject to the provider's duty to make reasonable adjustments. The suggested assessments such as simulation activities, role plays, mock interviews etc should be as close to the actual situation as possible and a genuine test of the skills required as outlined in the Accreditation Guidelines. Providers may wish to consider other models of assessment for some disabled students e.g. could a neurodivergent student evidence they understand group dynamics – for instance – via observation; in written form etc. The way that success is measured and assessed should take into account the fact that a disabled employee would be entitled to reasonable adjustments in the workplace to help them (for instance) manage their time. Therefore, the requirement to submit coursework (for instance) 'on time' must account for disability related time and disabled students should not be penalised for lateness if the lateness is related to their disability.
4. Providers should ensure that appropriate training is undertaken to those involved with the design, delivery, assessment and administration of the course (including, for instance, standardised clients or actors) and ensure that assessments are made in the light of reasonable adjustments that mitigate for difficulties a disabled student may face.

MANDATORY OUTCOMES

BUSINESS, FINANCIAL & PRACTICE AWARENESS			
BUSINESS AWARENESS			
	1(1) Business awareness	Positive indicators	Suggested forms of assessment
	By the end of the programme students should be able to:		
1.	Can evidence an understanding of business ethics to market economies	<ul style="list-style-type: none"> - Shows an understanding of the cultures of business, the role of ethics and the role of corporate governance. - Can explain basic compliance procedures and corporate risk management. 	This Outcome may be assessed in a pervasively or embedded way e.g. assessed within the context of those practice areas and learning activities where they naturally feature. If providers are using such methods they need to make students aware of such assessments in advance.
2.	Demonstrate knowledge of the regulatory and fiscal framework, and the main features of the taxation system, within which business is conducted.	<ul style="list-style-type: none"> - Demonstrates an understanding of basic statutory frameworks. - Can apply these to basic client situations; describe the different methods (debt, equity) by which a client company can raise finance. 	Where appropriate business awareness ought to be embedded within other transactions. This will help ensure that assessments are as close to the actual practice situation as possible and a genuine test of the skills required.
3.	Demonstrates an awareness of legal personality and business structures	<ul style="list-style-type: none"> - Can describe the concept of legal personality and apply it to business structures. - Can describe the advantages and disadvantages of business structures for a client. 	Performance need not be pervasive or embedded. Other forms of assessment might include multiple choice questions,

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4.	Can explain the key features of incorporated and unincorporated entities, their structure and purpose (including relevant tax features of structures).	<ul style="list-style-type: none"> - Demonstrates awareness of the differences between public and private limited companies. - Is able to identify which type of company may be appropriate for a client. - Understands, and can explain, the difference in administration and regulation between public and private limited companies. - Can explain the roles of directors and shareholders. - Is aware of, and can explain, relevant aspects of corporation tax, LBTT, capital gains tax, inheritance tax, PAYE, NIC and VAT as they apply to companies. - Demonstrates an awareness of the equivalent matters, relating to sole traders, partnerships, limited liability partnerships and other unincorporated associations, including the tax elements. 	<p>standard short question format, client presentations.</p> <p>If using multiple choice questions providers should be aware that for some students alternative assessments methods will be a reasonable adjustment.</p>
5.	Demonstrates an understanding of the commercial environment of legal practice, including the market for legal services and the business models legal businesses use.	<ul style="list-style-type: none"> - Can explain concepts such as utilisation, realisation, leverage, price, and profit. - Can demonstrate an understanding of the main sources of revenue for private practice law firms (fixed 	

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		<p>costs; capped costs; billable hours; legal aid) and devolved taxation.</p> <ul style="list-style-type: none">- Can explain in outline the nature of the relationship between in-house solicitors and private practice law firms.	
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BUSINESS, FINANCIAL & PRACTICE AWARENESS			
FINANCIAL AWARENESS			
	1(ii) Financial awareness	Positive indicators	<u>Suggested</u> appropriate forms of assessment
	By the end of the programme students should be able to:		
1	Can evidence an understanding of loan finance	- Can evidence a basic knowledge of the loan market.	Forms of assessment include simulation of investment activities, profit and loss games, company account tracking activities, multiple choice questions, standard short question format, client presentations. Where appropriate financial awareness may to be embedded within other transactions. This will help ensure that assessments are as close to the actual practice situation as possible and a genuine test of the skills required. If providers are using such methods they need to make students aware of such assessments in advance. If using multiple choice questions providers should be aware that for some students alternative assessments methods will be a reasonable adjustment.
2	Analyse and understand a set of company accounts	- Is able to analyse a set of basic accounts and comment upon them. - Demonstrates to a basic level how the profit and loss account is achieved and what the balance sheet represents.	
3	Demonstrate an ability to compare sets of accounts by using ratios.	- Can advise on the potential of companies based on ratios and their application.	
4	Explain the principles of tax as it applies to businesses (including relevant aspects of corporation tax, VAT, PAYE, NIC, LBTT, capital gains tax and inheritance tax).	- Can perform basic tax calculations. - Can explain principles of tax to clients - Considers tax consequences and planning opportunities in transactions.	
5	Understand the purpose of the main areas of financial advice for companies and individuals and can advise accordingly.	- Can identify to a basic level what is involved in the construction of financial advice to clients. - Can advise clients in relation to basic investment decisions, including concepts of risk,	

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		<p>advantages/disadvantages, and flexibility.</p> <ul style="list-style-type: none"> - Can identify appropriate taxes, including personal taxes. 	
6	<p>Understand the process of giving financial advice to companies and individuals, including the tax elements of this.</p>	<ul style="list-style-type: none"> - Can identify to a basic level what is involved in the construction of financial advice to clients. - Can advise clients in relation to basic investment decisions, including concepts of risk, advantages/disadvantages, and flexibility. - Can identify appropriate taxes, including personal taxes 	
7	<p>Explain and discuss the various forms of financial services available for clients, with particular reference to investment, mortgages, insurance and pensions, and the regulation of the provision of financial services, including investment protection, complaints procedures and compensation, including the tax elements of this.</p>	<ul style="list-style-type: none"> - Can explain basic investments to a client. - Can explain the differences between two types of mortgage. - Can explain at least two forms of insurance cover, either personal or commercial. - Can explain how at least two pension arrangements work to a client's advantage or disadvantage. 	

BUSINESS, FINANCIAL & PRACTICE AWARENESS			
PRACTICE AWARENESS			
	1(iii) Practice awareness	Positive indicators	Suggested appropriate forms of assessment
	By the end of the programme students should be able to:		
1	Demonstrates an understanding of the key features of partnerships and limited liability partnerships as business structures, and alternative business structures (including relevant tax features of structures).	<ul style="list-style-type: none"> - Can explain the differences between partnerships and limited liability partnerships as business structures. - Can identify the differences between partnerships and other business structures and advise when a partnership structure may be appropriate. - Demonstrates an understanding of the implications of alternative business structures for the delivery of legal services in Scotland and the UK. 	<p>Assessment by performance is essential in this skill but providers must ensure that reasonable adjustments are in place for disabled students.</p> <p>Performance need not be the only assessment and any performance element should be capable of support in the form of reasonable adjustments.</p> <p>Assessment should be in as realistic a situation as is feasible for Providers.</p> <p>Assessment should also be embedded where possible within programme modules or projects, rather than in stand-alone assessments.</p>
2	Demonstrates an understanding of key provisions of partnership agreements.	<ul style="list-style-type: none"> - Is able to identify key concepts which are appropriate for a partnership agreement. - Can explain commercial reasons for the inclusion or exclusion of provisions. 	<p>If providers are using such methods they need to make students aware of such</p>

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		<ul style="list-style-type: none"> - Drafts appropriate provisions accurately. 	<p>assessments in advance.</p> <p>The following forms of assessment are recommended:</p> <ol style="list-style-type: none"> 1. Checklist of skills with allocation of marks or standards. 2. Simulated casework research tasks, assessed by tutor. 3. Case file review by tutor. 4. Formation of 'virtual' firms for collaborative working. 5. Portfolio, in which students record progress. 6. Open-book examination. 7. Objective structured case examination. 8. Critical incident review. 9. Transactional assessment.
3	Demonstrate ability to manage personal workload and to manage effectively a number of concurrent client matters.	<ul style="list-style-type: none"> - Can manage personal workload with no noticeably detrimental effects on others. - Can switch effectively between different client matters; can communicate effectively on file matters and manage a file. 	
4	Demonstrates an awareness of issues of equality, diversity and inclusion that may arise within the practice environment with references to the protected characteristics.	<ul style="list-style-type: none"> - Can discuss and, where appropriate in simulation, demonstrate awareness of, such issues in legal practice, amongst peers, and in simulation role-play. 	

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5	Can manage time and risk capably in legal transactions/matters	<ul style="list-style-type: none"> - Time on file is managed capably; shows ability to multi-task on concurrent transactions. - Can plan deadlines, work to them and deal with unexpected work loads. - Demonstrates an understanding of risk in the context of client care policy, complaints procedure. - In simulation can analyse risk and client options evaluated in the context of costs and benefits. 	
6	Comply with all quality standards, risk management, and other policies and processes in place at the course provider; use business systems and resources appropriately.	<ul style="list-style-type: none"> - Use all business systems and processes appropriately and effectively. - Can be relied on to arrive on time for classes over the course of the working week, submits course work on time 	
7	Demonstrates an understanding of how technology is changing the legal profession	<ul style="list-style-type: none"> - Can explain how technology is changing legal businesses. - Can explain the progression of a legal matter from start to finish and identify how - Can provide examples of how the use of technology can augment legal advice 	

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2. PRIVATE CLIENT			
	By the end of the programme students should be able to:	Positive indicators	Suggested forms of assessment
1	Understand the Law of Testate Succession and be able to explain the tax implications.	<ul style="list-style-type: none"> - Can demonstrate a working knowledge of relevant legislation. - Can give basic advice on legal rights, understands the conditions and their implication. - Can explain the concepts of abatement, ademption and collation. - Understands and is able to explain the principles of inheritance tax. 	<p>Short and long case; simulation; drafting activities in coursework or in open book examination; 'station' activities; standardised client activities.</p> <p>NB: Where Providers are using 'station' activities as a means of assessment, reasonable adjustments including, but not limited to: rest stations, extra time, provision of a reader etc should be considered where appropriate.</p>
2	Draft testamentary documents and understand the tax implications of such documents.	<ul style="list-style-type: none"> - Can draft a competent will and other related documents. - Can explain the tax implications of such documents. 	
3	Demonstrates an understanding of the Law of Intestate Succession and be able to explain the implications.	<ul style="list-style-type: none"> - Can explain to the surviving spouse/civil partner, the concept and application of prior rights and legal rights; can explain to children and issue the concept and implication of legal rights. - Can explain to the surviving cohabitant the right of a cohabitant 	

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		to apply for a discretionary amount on intestacy.	
4	Draft Intestate documents.	- Can identify appropriate executor on intestacy and draft related documents.	
5	Administer an executry	<ul style="list-style-type: none"> - Can ingather funds correctly and can demonstrate a working knowledge of relevant legislation. - Demonstrates an understanding of taxation issues within an executry and is aware of tax planning opportunities. - Demonstrates an understanding of key elements of reporting estate to HM Revenue & Customs, can prepare basic final accounts. - Demonstrates an understanding of the principles of valuation, and payments of tax due 	
6	Understand the law on Trusts, their uses and applications, and be able to explain their implications, including tax implications.	<ul style="list-style-type: none"> - Can identify the different types of trusts, their uses and applications. - Demonstrates an understanding of the tax consequences of establishing a trust and ongoing taxation issues. 	
7	Demonstrates an understanding of the law on incapacity	- Can draft the appropriate necessary documentation for appointment of an attorney or	

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		<p>guardian; is able to advise on options of executing living wills.</p> <ul style="list-style-type: none"> - Understands the various types of Power of Attorney; taking instructions for the preparation of a Power of Attorney; obtaining information to prepare a suitable draft. - Understands and can explain an advanced direction. - Can explain the Certification and Registration processes. - Can explain the alternative options (i.e. intervention and guardianship). 	
8	Demonstrates an understanding of the principles and practice of tax planning as it relates to Private Client in relation to the preparation of wills and deed of variation.	<ul style="list-style-type: none"> - Can provide examples of relevant legislation (e.g. Is aware of the Finance Acts). - Has a working knowledge of Inheritance tax, capital gains tax and income tax; can draft the appropriate deed in light of the tax consequences. - Can explain the implications of tax avoidance. 	
9	Has a developing awareness of importance of technology in relation to private client including online filing, online personal tax accounts and the process of making tax digital.	<ul style="list-style-type: none"> - Can explain in outline how technology is impacting private client work. 	

3. Conveyancing			
	By the end of the programme students should be able to:	Positive indicators	Suggested forms of assessment
1	Demonstrates an understanding of the process of a conveyancing transaction.	- Has developed an understanding of a practical conveyance and will be able to ensure their client gets good title.	Forms of assessment may include case file analysis, short and long case assessment, simulation and role play, open book drafting assessment, standardized client activities.
2	Demonstrate an understanding of the law and practice in relation to missives and to be able to draft missive letters and conclude the contract.	Can explain how the law of contract relates to heritable property. Can draft missive letters and conclude the contract.	
3	Examine and report on title in relation to both first registration transactions and dealings thereafter.	Can check that the title to the property is good and if not, identify what is missing and how the problem can be solved. Can draft correspondence to another firm of solicitors making observations on title. Can pick up on all problems in a title and can attempt to solve these problems.	

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4	Draft appropriate documents, including a knowledge of LBTT, capital gains tax and inheritance tax.	<ul style="list-style-type: none"> - Will be able to draft a deed acceptable to the Registers of Scotland, including dispositions, and the other main deeds used by conveyances, including standard securities, discharges. - Can explain relevant taxation provisions. - Has developed an understanding of a practical conveyance and could get the registration accepted. - Can undertake a simulated practical conveyance 	
5	Demonstrates a understanding of the implications of family law legislation on conveyancing transactions and to be able to draft and revise relevant documentation.	<ul style="list-style-type: none"> - Demonstrates an understanding of basic legislation relevant to practice. Is able to draft the necessary deeds without basic errors. 	
6	Demonstrates an understanding of what searches are required in the Property and Personal Registers, complete the appropriate forms and to use ScotLIS.	<ul style="list-style-type: none"> - Appreciates, and can use, and function of searches in heritable property transactions. 	

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7	Understand and apply the law on execution of deeds.	<ul style="list-style-type: none"> - Updates and expands knowledge of the law and knows how different deeds and different legal personalities require to execute and create a valid deed. 	
8	Can explain the implications of a secured lender being involved in a conveyancing transaction.	<ul style="list-style-type: none"> - Can identify the problems that arise in relation to secured borrowing and the duties owed to the lender 	
9	Understand what is required before a transaction can settle and to be able to manage post settlement issues, including the retention of funds, registration dues and fees.	<ul style="list-style-type: none"> - Applies knowledge to a practical situation. - Shows ability to manage completion of a complex transaction including liaising with the client, the lender and relevant third parties. 	
10	Demonstrates an understanding of the law and practice in relation to residential leases, including the relevant statutory forms.	<ul style="list-style-type: none"> - Can draft and revise a basic residential lease. - Can explain the main provisions of the Private Residential Tenancy. 	

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11	Demonstrates an understanding of the law and practice in relation to commercial leases, including relevant documentation such as rent review agreements and licences for works.	<ul style="list-style-type: none">- Can draft and revise a commercial lease.- Can effectively review agreements and licenses	
12	Demonstrates an understanding the digital services of Registers of Scotland and can provide examples of technology developments affecting the conveyancing process.	<ul style="list-style-type: none">- Can explain in outline the digital services of Registers of Scotland.- Can provide examples of technological developments which affect conveyancing processes.	

4. Litigation (1) Civil Litigation – Court of Session and Sheriff Court			
	By the end of the programme students should be able to:	Positive indicators	Suggested forms of assessment
1	Demonstrate knowledge and understanding of the institutions, structure and personnel of the Scottish civil justice system; the technology used in the civil justice system; the hierarchy of the courts; the principal grounds of jurisdiction; the competence of the respective courts; and the rights of appeal applying to different actions and forms of procedure.	<ul style="list-style-type: none"> - Can identify the key elements in the Scottish civil justice system. - Can provide examples of how technology currently in use in civil court actions. - Understands, and can provide an overview of the different courts and the significant factors dictating the choice of court and appropriate procedures. - Is aware of, and can explain, the rights of appeal from different court decisions and can identify the main procedural steps in an appeal. 	<p>There could be three elements to the assessment of the litigation outcomes.</p> <ol style="list-style-type: none"> 1. Procedural knowledge 2. Writing/drafting skills 3. Oral presentation skills <p>Procedural knowledge can be assessed by formal examination involving problem-based questions, multiple choice questions or standard short question format. It could also be assessed by continuous assessment with numerous short questions over the duration of the programme.</p>
2	Demonstrate knowledge and understanding of the different ways in which litigation can be funded; the relationship between judicial and extra judicial expenses; and the basic principles governing the liability for judicial expenses.	<ul style="list-style-type: none"> - Is able to identify and explain the alternative means of funding litigation. - Is able to explain the financial implications of the different forms of funding for litigants. - Can identify and explain the principles applied by the courts in making an award of judicial 	<p>If using multiple choice questions providers should be aware that for some students alternative assessments methods will be a reasonable adjustment.</p>

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		<p>expenses and the implications for litigants.</p> <ul style="list-style-type: none"> - Can identify and discuss the commercial consequences of findings of liability for judicial expenses and the impact on the choice of forum and form of dispute resolution. 	<p>Where possible procedural knowledge and professional skills should be integrated.</p> <p>Where possible writing and drafting skills should be integrated (e.g. could involve students drafting court writs or other documents and being assessed on their competence).</p>
3	<p>Demonstrate knowledge and understanding of the hearings in the sheriff court that would lead to the determination of an action – debates, proofs, proofs before answer - and the procedure at such hearings.</p>	<ul style="list-style-type: none"> - Is able to explain the procedural steps in the different forms of action available in the sheriff court. - Can demonstrate an awareness of the court rules and Practice Notes applicable to different actions and can demonstrate a basic knowledge and understanding of the practice in relation to different forms of procedure. 	<p>Similarly, presentation skills could involve students researching preparing and presenting motions in relation to specific procedural matters and being assessed on that.</p> <p>Simulations of court action including assessment of all of the foregoing could be included, in combination with the above or in addition to it.</p> <p>Simulations could take place in real courts, with professionals involved as much as possible.</p>
4	<p>Demonstrate knowledge and critical understanding of the basic principles and conventions of written pleadings applicable to all forms of procedure competent in the sheriff court including the concepts of relevancy and specification of written pleadings.</p>	<ul style="list-style-type: none"> - Can explain the concepts of relevancy and specification in formal written pleadings. - Understands the styles, forms, rules and conventions applying to the written expression of a case and defence. 	<p>Interdisciplinary assessments may also take place where PEAT 1 students are assessed on their ability to act in a case where another</p>

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		<ul style="list-style-type: none"> - Is able to draft basic pleadings in any of the forms of procedure available in the sheriff court. - Can demonstrate awareness of the process of adjusting pleadings with a view to focusing the matters in dispute in any litigation. - Can demonstrate awareness of the significance and procedural implications of pleas in law in certain forms of procedure. 	<p>discipline is represented by other student.</p>
5	<p>Demonstrate an awareness of the different forms of procedure competent in the Court of Session including the differences between ordinary actions and Petitions.</p>	<ul style="list-style-type: none"> - Is aware of and can explain of the main incidental procedures applying in the different forms of litigation at first instance. - Can explain the circumstances in which they might be invoked. - Demonstrates an understanding of the way in which litigants make motions and how motions will be dealt with administratively and judicially. - Is able to prepare a submission for a motion or opposition thereto. 	

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6	<p>Demonstrate knowledge and understanding of the common forms of incidental procedures found in civil court actions, and the circumstances in which they would be appropriate.</p>	<ul style="list-style-type: none"> - Is aware of and can explain how an action would proceed to a determinative hearing by way of an Options Hearing or otherwise. - Demonstrates an understanding of the basic function of a Rule 221.1 Note in an ordinary action - Is aware of and can explain the different procedural mechanisms for resolving a case judicially; 	
7	<p>Demonstrates a knowledge and understanding of the hearings in the sheriff court that would lead to the determination of an action – debates, proofs, proofs before answer – and the procedure at such hearings.</p>	<ul style="list-style-type: none"> - Can demonstrate a basic knowledge of the procedure in a proof or proofs before answer. - Demonstrates an understanding of a litigant prepares for a hearing of evidence in a case. - Is aware of and can explain the rules and practices regarding witnesses and productions for a proof. 	
8	<p>Demonstrate knowledge and understanding go the ways in which evidence can be presented or agreed in civil actions or</p>	<ul style="list-style-type: none"> - Is aware of the ways in which a court will be justified in making findings in fact. - Understands the significance of admissions in pleadings. 	

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		<ul style="list-style-type: none"> - Is aware of ways in which evidence can be agreed, including Notices to Admit and Joint Minutes of admissions. - Appreciates the need to prove facts which are not agreed or admitted 	
9	Demonstrate an awareness of how court actions might be settled extra judicially and the issues which might arise in these circumstances.	<ul style="list-style-type: none"> - Is aware of the reasons why parties might settle a litigation and the factors that come into play. - Is aware of the ways in which a party might settle a case and the procedures open to them to do so . - Understands the commercial implications of settlement in the context of a litigation and the drivers that promote settlement. 	
10	Demonstrate an awareness of the commercial implications of the management of litigation by parties and the impact of the development of judicial case management	<ul style="list-style-type: none"> - Is aware of the cost of litigation as a means of resolving disputes compared to other dispute resolution mechanisms. - Is able to identify alternative mechanisms and assess their suitability for client needs and intentions. - Is aware of the way in which litigation might be conducted 	

		<p>economically and how the cost of an action will increase depending upon the procedure followed and the conduct of a litigation by parties.</p> <ul style="list-style-type: none"> - Is aware of the economic implications of judicial case management of a litigation 	
4. Litigation (II) Criminal – High Court and Sheriff Court – Stage 1			
	By the end of the programme students should be able to:	Positive indicators	Suggested forms of assessment
1	Demonstrate knowledge and understanding of the operation of the Criminal Legal Aid scheme – both as to advice and as to representation.	<ul style="list-style-type: none"> - Is able to explain the difference between advice and assistance, and legal aid for representation. - Is able to describe the circumstances in which criminal advice and assistance is available. - Is able to explain the process of granting advice and assistance; is able to describe the circumstances in which criminal legal aid is available. - Is able to describe the process of granting legal aid. - Is able to explain the right to legal aid assistance as would 	<p>There could be three elements to the assessment of the litigation outcomes.</p> <ol style="list-style-type: none"> 1. Procedural knowledge 2. Writing/drafting skills 3. Oral presentation skills <p>Procedural knowledge can be assessed by formal examination involving problem based questions, multiple choices questions and standard short format questions. It could also be assessed by continuous assessment with numerous short questions over the duration of the programme.</p>

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		be necessary in a police station environment.	If using multiple choice questions providers should be aware that for some students alternative assessments methods will be a reasonable adjustment.
2	Demonstrate knowledge and understanding of the procedural sequence of events in summary and solemn procedure in the Sheriff Court and in the High Court.	<ul style="list-style-type: none"> - Is able to describe the steps in a summary complaint and in a case on indictment. - Is able to describe the steps in the correct order. - Is able to explain the points at which there may be a range of procedural options. - Is able to explain the respective roles of the parties and the Court in progressing an action. - Is able to explain the statutory bases of the sheriff court's jurisdiction. - Is able to explain the statutory and common law bases of the High Court's jurisdiction. - Is able to describe the procedural rules both in the abstract and with reference to particular fact situations. - Is able to distinguish between the various substantive hearings in the procedural life of both a summary complaint and a trial on indictment 	<p>Where possible procedural knowledge and professional skills should be integrated.</p> <p>Where possible writing and drafting skills should be integrated (e.g. could involve students drafting court writs or other documents and being assessed on their competence).</p> <p>Simulations could take place in real courts, with professionals involved as much as possible. Interdisciplinary assessments may also take place, where PEAT 1 students are assessed on their ability to act in a case where another discipline is represented by other students.</p>

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4. Litigation (iii) Criminal – High Court and Sheriff – Stage 2			
	By the end of the programme students should be able to:	Positive indicators	Suggested forms of assessment
1	Demonstrate the ability to conduct incidental motions and intermediate diet in a summary complaint.	<ul style="list-style-type: none"> - Employs factual evidence and appropriate legal content at appropriate junctures during submission. - Structure of submission is clear and cogent; adheres to client or supervisor instructions. - Can relay client objectives to decision-maker at appropriate juncture in submissions. - Can respond appropriately to points raised by decision-maker or opponent about these. 	<p>There could be three elements to the assessment of the litigation outcomes.</p> <ol style="list-style-type: none"> 1. Procedural knowledge 2. Writing/drafting skills 3. Oral presentation skills <p>Procedural knowledge can be assessed by formal examination involving problem based questions, multiple choice questions, and standard short format questions. It could also be assessed by continuous assessment with numerous short questions over the duration of the programme.</p>
2	Demonstrate the knowledge and understanding as to how a straightforward summary trial is conducted.	<ul style="list-style-type: none"> - Forms a theory of the case. - Is aware of the relevancy of particular facts and legal principles, including case and/or statutory citations. - Recognises appropriate form of questions which are relevant to case theory and appropriate advocacy techniques. 	<p>If using multiple choice questions providers should be aware that for some students alternative assessments methods will be a reasonable adjustment.</p> <p>There possible procedural knowledge and professional skills should be integrated.</p>
3	Demonstrate the ability to make a plea in mitigation in a straightforward summary complaint.	<ul style="list-style-type: none"> - Demonstrates a knowledge of the facts and legal issues, including sentencing options, which will be 	

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		<p>required in making submissions on behalf of the client.</p> <ul style="list-style-type: none"> - Employs factual and legal evidence at appropriate junctures during submission. - Can balance the mitigating circumstances with the gravity of the offence whilst ensuring that the client understands the submissions. - Structure of submission is clear and cogent; adheres to client or supervisor instructions. - Can relate client objectives to decision-maker at appropriate juncture in submissions. - Can respond appropriately to points raised by decision-maker or opponent about these. 	<p>Where possible writing and drafting skills should be integrated (e.g. could involve students drafting court writs or other documents and being assessed on their competence).</p> <p>Simulations could take place in real courts, with professionals involved as much as possible. Interdisciplinary assessments may also take place, where PEAT 1 students are assessed on their ability to act in a case where another discipline is represented by other students.</p>
4	<p>Demonstrate knowledge and understanding of the appeal procedures which are open to an accused person following conviction and sentence.</p>	<ul style="list-style-type: none"> - Is able to describe procedures by which appeal may be taken. - Is able to explain the circumstances in which each is appropriate. - Is able to describe procedural steps. - Is able to describe remedies available to appellate court 	

CORE OUTCOMES

Reference should be made to the [PEAT 1 Accreditation Guidelines](#) noting that the Core Outcomes “*should not be from legal content but taught in as integrated fashion as possible*” i.e. via the Mandatory Outcomes and any electives. The Educational Practice Guidelines explain the background to professionalism (e.g. that knowledge and skills must be taught within the value system of the profession; knowledge and skills are part of professional behaviour etc)

PROFESSIONALISM		
Throughout the PEAT 1 programme the student should understand the importance of:		
	Positive Indicators	Suggested Methods of assessment
The interests of justice and democracy in society	<ul style="list-style-type: none"> - Displays an interest in the workings of justice in society. - Demonstrates an awareness of ethical legal practice - Demonstrates an awareness of the regulatory framework of professional practice. - Demonstrates an understanding and can analyse the importance of the concept of the Solicitor as an officer of the court. - Demonstrates an understanding of the importance of the legal profession working for the public good e.g. pro bono, public legal aid, corporate social responsibility etc. 	<p>This may be assessed longitudinally throughout the Programme, by more than one assessor, and in more than one assessment, so that a variety of views are obtained under different conditions.</p> <p>Forms of assessment could include:</p> <ol style="list-style-type: none"> 1. Client-based long case 2. Case file review of simulated client 3. Portfolio – self-assessment

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<p>Effective and competent legal services on behalf of a client</p>	<ul style="list-style-type: none"> - Updates and expands knowledge of the law, knowledge of legal practice, client-centred practice and management of client services. - Pays careful attention to standard of detail in legal work. - Demonstrates an awareness of current Law Society of Scotland client care requirements. 	<ul style="list-style-type: none"> 4. Log-book/activity log/confidential file 5. Critical incident review 6. Transactional assessment 7. Tutor reports
<p>Continuing professional education and personal development</p>	<ul style="list-style-type: none"> - Is aware of own strengths and weaknesses and forms plans to develop, values, knowledge and skills throughout the course. - Reflects on experiences and mistakes in order to improve future performance 	
<p>Equality and diversity</p>	<ul style="list-style-type: none"> - Demonstrates an awareness of the responsibilities incumbent on the Law Society of Scotland, the Scottish legal profession and the Scottish solicitor. - Can explain the responsibilities incumbent on a Scottish solicitor in respect of equality and diversity. - Can analyse, the current issues relating to equality, diversity and inclusion in the Scottish legal profession. 	
<p>Trust, respect and personal integrity</p>	<ul style="list-style-type: none"> - Is honest with others on the course. - Treats colleagues, tutors, administrative staff and others professionally and respectfully. 	

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PROFESSIONAL COMMUNICATION		
By the end of the PEAT 1 programme the student will have performed effectively in a simulated environment:		
Professional relationships and team-working	Positive indicators	Suggested methods of assessment
Adapt approach to develop professional relationships	<ul style="list-style-type: none"> - Is aware of how emotion and social relations can impact on professional relationships. - Can adapt approach to suit professional situations (e.g. in negotiation, when working with vulnerable clients etc) 	<p>This may be assessed longitudinally throughout the Programme, by more than one assessor, and in more than one assessment, so that a variety of views are obtained under different conditions.</p> <p>Assessment should also be embedded where possible within Programme modules or projects, rather than in stand-alone assessments.</p>
Take notice of, give and receive feedback and respond to others.	<ul style="list-style-type: none"> - Can summarise accurately what the speaker has said without embellishment or omission. - Can comment positively and with perception on the performance of others in the group. - Respects the viewpoint of others - Can accept and act upon feedback from others to improve professional practice. 	<ol style="list-style-type: none"> 1. Client-based long case 2. Case file review of simulated client 3. Portfolio – self-assessment 4. Log-book/activity log/confidential file 5. Critical incident review 6. Collaborative activities that provide the ground for assessment 7. Tutor reports
Demonstrate an understanding of the basics of group dynamic	<ul style="list-style-type: none"> - Makes effort to understand others' styles and their contribution to group dynamics. - Can communicate this understanding and discuss it with others in a group. 	

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	<ul style="list-style-type: none"> - Can understand the collective competences of a professional group. 	
Act as a group member	<ul style="list-style-type: none"> - Takes personal responsibility for professional tasks. - Can liaise with others over tasks. - Can share task information, learning and knowledge - Can recognise positive group dynamics and encourage these. - Is aware of negative group dynamics and can avoid them. 	
Lead a group effectively	<ul style="list-style-type: none"> - Motivates the professional group - Organises delegation of tasks - Plays to group strengths - Is aware of collective competencies of the group and maximises these. - Is aware of risks of groupwork and minimises these. 	
Appraises and develops their skill at forming and maintaining professional relationships	<ul style="list-style-type: none"> - Modifies own practice in the context of feedback from tutors. - Demonstrates improvement in practice throughout the span of the programme 	

PROFESSIONAL COMMUNICATION		
By the end of the PEAT 1 programme the student will have performed effectively in a simulated environment:		
Transactional research	Positive indicators	Suggested methods of assessment
Gather information relevant to a matter	<ul style="list-style-type: none"> - Can obtain factual information and methodically record the varieties of information and their sources (paper document, oral, electronic) for future analysis. - Plans work to research deadlines 	<p>Assessment by performance is essential in this skill but providers must ensure that reasonable adjustments are in place for disabled students.</p>
Analyse and prioritise factual issues	<ul style="list-style-type: none"> - Can identify gaps, ambiguities and contradictions in information. - Knows how to find further or better information. - Can prioritise legally important facts 	<p>Performance need not be the only assessment and any performance element should be capable of support in the form of reasonable adjustments.</p>
Apply legal analysis to fact patterns	<ul style="list-style-type: none"> - Can explain the legal context surrounding facts. - Can identify and prioritise legal issues raised by facts. - Can apply legal principles to relevant facts. - Can determine which rules are clear and which require further legal or factual research. 	<p>Assessment should be in as realistic a situation as is feasible for Providers. Assessment should also be embedded where possible within Programme modules or projects, rather than in stand-alone assessments. The following forms of assessment are recommended:</p> <ol style="list-style-type: none"> 1. Checklist of skills with allocation of marks or standards. 2. Simulated casework research tasks, assessed by tutor.

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	<ul style="list-style-type: none"> - Use appropriate legal research resources 	<ol style="list-style-type: none"> 3. Case file review by tutor. 4. Portfolio, in which students record progress. 5. Open-book examination. 6. Objective structure case examination. 7. Critical incident review <p>Providers should ensure that reasonable adjustments are in place for students who may be more likely to make errors, and/or may be less likely to spot these errors through proofreading, to enable them to achieve the standard of accuracy required.</p>
Use appropriate legal research resources, both paper and electronic	<ul style="list-style-type: none"> - Can explain the legal context surrounding facts - Locates and uses cases and legislation, standard practitioner texts, periodical literature, using research tools such as digests, citators and electronic tools such as WestLaw and Lexis Nexis. - Keeps a precise research record. - Can identify key research terms. - Plans a research strategy. 	
Update legal information	<ul style="list-style-type: none"> - Uses appropriate updating instruments, both paper-based and electronic to check information currency 	
Interpret statutes	<ul style="list-style-type: none"> - Can identify legislative provisions appropriate to the advice being considered. - Identify and cite correct sections and schedules. - Can interpret provisions within a legislative framework according to task instructions. - Can apply and use it in drafting advice. 	
Providing clear and relevant advice	<ul style="list-style-type: none"> - Can communicate advice that is relevant to the task. - Uses appropriate channel of communication in a form relevant to 	

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	<p>the audience and context, and does so clearly, concisely, and in precise and-technically accurate language-</p>	
<p>Develop techniques for appraising and developing their own transactional research procedures</p>	<ul style="list-style-type: none"> - Modifies own practice in the context of feedback from tutors. - Demonstrates improvement in practice throughout the span of the programme. 	

PROFESSIONAL COMMUNICATION		
By the end of the PEAT 1 programme the student will have performed effectively in a simulated environment:		
Interviewing	Positive indicators	Suggested methods of assessment
Introduce and conclude an interview effectively	<ul style="list-style-type: none"> - Has prepared for the interview. - Meets and greets the client. - Explains the structure of the interview. - Demonstrates a courteous attitude to the client. - Draws the interview to an appropriate 	Assessment by performance is essential in this skill but providers must ensure that reasonable adjustments are in place for disabled students. Performance need not be the only assessment and any performance element should be capable of support in the form of reasonable adjustments.
Conduct a client-centred interview	<ul style="list-style-type: none"> - Encourages the client to explain concerns. - Can identify the clients goals, and help the client define priorities among the goals - Can confirm their understanding of the client's concerns - Uses listening techniques 	<p>It should be in as realistic a situation as is feasible for the Providers. Assessment should also be embedded where possible within programme modules or projects, rather than in stand-alone assessments. The following forms of assessment are recommended:</p> <ol style="list-style-type: none"> 1. Checklist of skills with allocation of marks or standards. 2. Simulated interview, using either actors or trained standardised clients (SCs), and assessed either by tutor or by SCs or both. Performances should be digitally

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		<p>recorded or otherwise stored as record of student work.</p> <ol style="list-style-type: none">3. Video essay or report (where students and staff may comment upon performance in video).4. Portfolio, in which students record progress.
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PROFESSIONAL COMMUNICATION		
By the end of the PEAT 1 programme the student will have performed effectively in a simulated environment:		
Negotiation	Positive indicators	Suggested appropriate methods of assessment
Understand different approaches to the theory of legal negotiation including facilitated negotiation	<ul style="list-style-type: none"> - Can explain the different styles of negotiation - Can understand the role of mediation 	<p>Assessment by performance is essential in this skill but providers must ensure that reasonable adjustments are in place for disabled students.</p> <p>Performance need not be the only assessment and any performance element should be capable of support in the form of reasonable adjustments.</p> <p>Assessment should be in as realistic a situation as is feasible for Providers.</p>
Communicate with a client throughout a negotiation	<ul style="list-style-type: none"> - Is aware of, and remains within, boundaries of action plan agreed with client. - Takes instruction from and advises the client - Negotiates aims with a client - Has a clear sense of remit. 	<p>Assessment should also be embedded where possible within Programme modules or projects, rather than in stand-alone assessments. The following forms of assessment are recommended:</p>
Plan a negotiation	<ul style="list-style-type: none"> - Identifies factual and legal issues. - Understands client's objectives and can prioritise these. - Can discern strengths and weaknesses in a matter including 	<ol style="list-style-type: none"> 1. Checklist of skills with allocation of marks or standards. 2. Simulated negotiation, assessed by tutor. Performances should be

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	<p>Best Alternative to A Negotiated Agreement (BATNA).</p> <ul style="list-style-type: none"> - Develops a plan of action based on rational assessment of objectives, strengths and weaknesses. 	<p>digitally recorded or otherwise stored as a record of student work.</p>
Select strategies to conduct a negotiation	<ul style="list-style-type: none"> - Choose strategies that will achieve client objectives. - Can modify strategies flexibly. - Can create a structure that allows negotiation to take place in a coherent manner - Uses legal logic to further the client's case. - Responds to offers and makes concessions appropriately. 	<p>3. Digital essay or report (where students and staff may comment upon digitally recorded performance).</p> <p>4. Portfolio, in which students record progress</p>
Negotiate according to the practice and conventions of at least one area of law	<ul style="list-style-type: none"> - Demonstrates an awareness of practitioner conventions and situated negotiation practice e.g. sale of house or personal injury transaction. - Knows and can use relevant procedural and substantive law to achieve client objectives. 	

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Negotiate ethically	<ul style="list-style-type: none">- Knows and can use relevant procedural and substantive law to achieve client objectives.- Identifies and deals with conflicts.- Treats client, legal agents and others with truthfulness, respectfully and professionally.- Records strategy and results in accurate and timeous notes to file.- Can explain different approaches to structuring a deal.- Deals with pecuniary matters honestly and promptly.	
Develop techniques for appraising and developing their own negotiating style	<ul style="list-style-type: none">- Modifies own practice in the context of feedback from tutors- Demonstrates improvement throughout the span of the programme	

PROFESSIONAL COMMUNICATION		
By the end of the PEAT 1 programme the student will have performed effectively in a simulated environment:		
WRITING AND DRAFTING	Positive indicators	Suggested methods of assessment
Write letters or reports that achieve their purpose	<ul style="list-style-type: none"> - Ensures the documents achieve client goals. - Performs according to client, supervisor or tutor instructions. - Seeks information. - Communicates only relevant information. - Relates structurally to other documents or advice – all of this in an effective manner as regards purpose of communication 	<p>Assessment by performance is essential in this skill but providers must ensure that reasonable adjustments are in place for disabled students.</p> <p>Performance need not be the only assessment and any performance element should be capable of support in the form of reasonable adjustments.</p> <p>Assessment should also be embedded where possible within Programme modules or projects, rather than in stand-alone assessments. The following forms of assessment are recommended:</p>
Write documents that are structured according to convention and audience requirements	<ul style="list-style-type: none"> - Follows models (eg in use of addresses, date, salutation, heading style etc) - Demonstrates awareness of audience requirements as to form of communication (letter, email, phone). - Displays legal literacy. - Understands detail of information will vary. - Prioritises information. - Times communications appropriately. - Demonstrates an awareness of sensitivity of content. 	<ol style="list-style-type: none"> 1. Checklist of skills with allocation of marks or standards. 2. Simulated writing and drafting coursework tasks, assessed by tutor.

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<p>Draft well-organised and factually accurate documents</p>	<ul style="list-style-type: none"> - Uses correct spelling and appropriate grammar, syntax and punctuation. - Uses precise and technically correct language - Writing is fluent and reader-friendly. - Lexical choice is appropriate to genre and audience. - Ensures relevant legal and factual issues are addressed. - Can articulate argument and identify options. - Exercises the appropriate standard of care 	<ol style="list-style-type: none"> 3. Case file review by tutor. 4. Portfolio, in which students record progress 5. Open-book drafting examination <p>Providers should be aware that some students may be more likely to make errors, and may be less likely to spot these errors through proofreading, and should ensure that reasonable adjustments are in place for those students to enable them to achieve the standard of accuracy required.</p>
<p>Demonstrate use of a precedent bank of styles to progress a transaction</p>	<ul style="list-style-type: none"> - Uses the appropriate form or style. - Can adapt a style to a particular context, bearing in mind substantive and procedural legal context, audience, possible future audiences and possible litigation context 	
<p>Organise the transactional context of writing</p>	<ul style="list-style-type: none"> - Can organise a transactional file. - Creates, drafts and files documents within an ordered hierarchy, and to a time limit. - Provides own commentary upon formal and informal writings within a file where appropriate (eg notes to file). 	

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<p>Develop techniques for appraising and developing their own writing and drafting styles</p>	<ul style="list-style-type: none">- Modifies own practice in the context of feedback from tutors- Demonstrates improvement in practice throughout the span of the programme.	
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PROFESSIONAL COMMUNICATION		
By the end of the PEAT 1 programme the student will have performed effectively in a simulated environment:		
Use of technology	Positive indicators	Suggested methods of assessment
Understand how technology is used in legal practice in Scotland:	<ul style="list-style-type: none"> - Can explain the benefits and risks of relevant legal technology. - Can explain in outline of how key features of technology used in legal practice work. 	<p>Assessment by performance is essential in this skill but providers must ensure that reasonable adjustments are in place for disabled students.</p> <p>Performance need not be the only assessment and any performance element should be capable of support in the form of reasonable adjustments.</p>
Demonstrates an understanding of the critical importance of cyber-security to the Scottish legal profession	<ul style="list-style-type: none"> - Can explain why the legal profession is a target for cybercriminals and has an emerging understanding of how the profession deals with that threat. - Demonstrates an understanding basic concepts of security, how these concepts relate to each other, and lead to risk and harm 	<p>Assessment should be in as realistic a situation as is feasible for Providers</p> <p>Assessment should also be embedded where possible within Programme modules of projects, rather than in standalone assessments. The following forms of assessment are suggested:</p>
Communicate securely via electronic means with clients and others	<ul style="list-style-type: none"> - Can use email format efficiently (clear subject line, use of signature -file, appropriate timing of email). - Understands and uses proper business and professional etiquette within an electronic environment. - Demonstrates risk management of e-communications. 	<p>1. Check-list of skills with allocation of marks or standards.</p> <p>2. Simulated casework research tasks, assessed by tutor.</p>

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	<ul style="list-style-type: none"> - Can use technological aids to plan time on task. - Archives mail safely and accurately. – - Can provide examples of other forms of electronic communication. 	<ul style="list-style-type: none"> 3. Case file review by tutor. 4. Portfolio, in which students record progress. 5. Short answer questions. 6. Objective structured case examination. 7. Critical incident review.
Can use electronic drafting tools to create legal documents	<ul style="list-style-type: none"> - Can adapt use of computers to draft appropriate documents. - Uses electronic bank of styles effectively. - Can identify how different elements of a case management system are to be utilised. - Is aware of use of electronic dictation to a basic level - Demonstrates an awareness of technologies such as speech-to-text. 	
Develop techniques for appraising and developing their skill at forming and maintaining communicational skills using technological tools	<ul style="list-style-type: none"> - Modifies own practice in the context of feedback from tutors - Demonstrates improvement in practice throughout the span of the programme. 	

PROFESSIONAL COMMUNICATION		
By the end of the PEAT 1 programme the student will have performed effectively in a simulated environment:		
Advocacy	Positive indicators	Suggested appropriate methods of assessment
Plan a coherent and persuasive submission	<ul style="list-style-type: none"> - Gathers relevant facts and legal principles, including case and/or statutory citations. - Forms a theory of the case. - Structures speech or submission. 	Assessment by performance is essential in this skill but providers must ensure that reasonable adjustments are in place for disabled students.
Present a submission using legal authorities and relevant facts within a cogent structure	<ul style="list-style-type: none"> - Employs factual evidence and appropriate junctures during submission. - Structure of submission is clear and cogent. - Adheres to client or supervisor instructions. - Can relate client objectives to decision-maker at appropriate juncture in submissions. - Can respond appropriately to points raised by decision-maker or opponent. 	<p>Performance need not be the only assessment and any performance element should be capable of support in the form of reasonable adjustments.</p> <p>Assessment should be in as realistic a situation as is feasible for Providers.</p> <p>Assessment should also be embedded where possible within Programme modules of projects, rather than in stand-alone assessments. The following forms of assessment are recommended:</p> <ol style="list-style-type: none"> 1. Checklist of skills with allocation of marks or standards. 2. Simulated advocacy, assessed by tutor. Performances should be digitally
Use documentation in preparation for, and during, a submission	<ul style="list-style-type: none"> - Makes use of fact-based documents (e.g affidavits) - Uses relevant extracts from documentation to affirm own case or answer points raised by decision-maker or opponent. 	

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Use effective communication skills	<ul style="list-style-type: none"> - Communicates key message in a way which is understandable to the audience. 	recorded or otherwise stored as a record of student work.
Demonstrate an understanding of the ethics and conventions of advocacy in the Court of Session, Sheriff Court and tribunals	<ul style="list-style-type: none"> - Can demonstrate duties to the Court, to the client and to the opponent. - Demonstrates an awareness of the conventions including forms of address, forms of language appropriate to the submission and format of submission 	
Develop techniques for appraising and developing their own advocacy skills	<ul style="list-style-type: none"> - Modifies own practice in the context of feedback from tutors. - Demonstrates improvement in practice throughout the span of the programme. 	

PROFESSIONAL ETHICS AND STANDARDS		
<p>The Society's Standards of Conduct and Service – https://www.lawscot.org.uk/standards/- apply to all qualified solicitors. The statements contained in this document have been drafted in line with those statements. From time to time these Outcomes and this document may be amended, in line with the evolution of the Society's Standards work.</p>		
<p>By the end of the PEAT 1 programme the student will have performed effectively in a simulated environment:</p>		
Regulatory Framework and standards	Positive indicators	Suggested appropriate methods of assessment
<p>Demonstrates an understanding of the role of the Law Society of Scotland generally and the role it and other regulatory bodies have in relation to the Profession. Maintains an awareness of the various functions of the Law Society of Scotland including representation and regulation</p>	<ul style="list-style-type: none"> - Demonstrates an awareness of the history and developing culture of both the Law Society of Scotland and regulation of legal services, both within Scotland and internationally. - Displays an awareness of the regulations applying to the provision of legal services to the client. - Appreciates, and can explain, the difference between conduct and service issues and negligence. - Understands, and can explain, the extent of the non-regulatory role of the Society. 	<p>Ethics summative assessments should, where possible, be integrated with other subjects.</p> <p>If providers are using such methods they need to make students aware of such assessments in advance</p> <p>A test of framework knowledge could be carried out e.g. with multiple choice questions or standard short question format; but the most meaningful assessment of ethical practice in PEAT 1 will be in case-study, simulation, role-play or clinic.</p>
<p>Demonstrate knowledge of appropriate standards of compliance with the Accounts Rules and the Standards of Conduct and Service for Scottish</p>	<ul style="list-style-type: none"> - Demonstrate an awareness of the Master Policy and other types of insurance required of solicitors in Scotland. 	<p>If using multiple choice questions providers should be aware that for some</p>

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<p>solicitors laid down by the Law Society of Scotland from time to time.</p>	<ul style="list-style-type: none"> - Displays knowledge of the Accounts Rules as they relate to various areas of practice. - Displays an awareness of the role of the Client Protection Fund. - Knows, and can discuss, the details of the Standards of Conduct and Service for Scottish Solicitors 	<p>students alternative assessments methods will be a reasonable adjustment.</p>
<p>Analyse the concept of independence of the legal profession</p>	<ul style="list-style-type: none"> - Can analyse the value of independence of the profession within society. - Can demonstrate its mechanisms, drivers, blockers. - Displays knowledge of how independence affects different sectors of the legal profession culturally, economically, socially. 	

Duties to the court	Positive indicators	Suggested appropriate methods of assessment
<p>Demonstrates an understanding of the professional obligations of a solicitor to the Court</p>	<ul style="list-style-type: none"> - Is aware of, and can discuss, of the relevant practice rules and obligations of a solicitor to the court. - Is able to identify a potential breach of the practice rules. - Is aware of, and can discuss, the relevant practice rules and the obligations of a solicitor to the court 	<p>Ethics summative assessments should, where possible, be integrated with other subjects.</p> <p>If providers are using such methods they need to make students aware of such assessments in advance</p> <p>A test of framework knowledge could be carried out, eg with multiple choice questions or standard short question format; but the most meaningful assessment of ethical practice in PEAT 1 will be in case-study, simulation, role-play or clinic.</p>
<p>Resolves a breach of the duty to the court</p>	<ul style="list-style-type: none"> - Can explain options available where the duty has been breached and is aware of how to remedy the breach. 	<p>If using multiple choice questions providers should be aware that for some students alternative assessments methods will be a reasonable adjustment.</p>

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Duties to the profession	Positive indicators	Suggested appropriate methods of assessment
Demonstrates an understanding of the professional obligations of a solicitor to the Court	<ul style="list-style-type: none"> - Demonstrates awareness of the duty to other members of the profession. - Acts honestly and with integrity - Respects the opinions and views of others 	<p>Ethics summative assessments should, where possible, be integrated with other subjects.</p> <p>If providers are using such methods they need to make students aware of such assessments in advance</p>
Identify client and client context	<ul style="list-style-type: none"> - Is sensitive to how the situation of clients and how this affects client care - Demonstrates an awareness necessity of "know your client" and how this impacts on client care. - Demonstrates an awareness of statutory requirements, eg Money Laundering Regulations and their impact on the client relationship. - Demonstrates an awareness of diversity and equality issues in relation to clients and their affairs. 	<p>A test of framework knowledge could be carried out, eg with multiple choice questions or standard short question format; but the most meaningful assessment of ethical practice in PEAT 1 will be in case-study, simulation, role-play or clinic.</p> <p>If using multiple choice questions providers should be aware that for some students alternative assessments methods will be a reasonable adjustment.</p>
Act in the best interests of your client	<ul style="list-style-type: none"> - Can identify the best interests of a client in a matter. - Can plan action in order to act in these interests. - Acts in those best interests. 	

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<p>Takes proper instructions</p>	<ul style="list-style-type: none"> - Can identify the best interests of a client in a matter. - Clearly identifies the client. - Can separate client from other interested parties. - Can listen for and summarise instructions. - Can distinguish basic difference between giving advice and seeking instruction. - Can identify when instructions require clarified. - Can identify basic conflicts in forms of instruction 	
<p>Identify and plan to achieve client goals and objectives/Understands and practises good client care principles</p>	<ul style="list-style-type: none"> - Can carry out effective fact analysis, take account of commercial considerations where appropriate, advise on options, consequences and potential costs of actions. - Is aware of and acts according to professional rules that apply in a given situation, eg Standards of Conduct and Service, retainer letter, terms & conditions, etc. - Gives objective advice to a client. 	

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	<ul style="list-style-type: none"> - Shows a basic ability to act professionally towards the client and to third-party professionals 	
Carry out duties with competence, diligence, and appropriate skills	<ul style="list-style-type: none"> - Demonstrates an understanding of standards of competent acting. - Can implement such standards with diligence and regard for client best interest 	
Implement duties on withdrawal from acting	<ul style="list-style-type: none"> - Can explain why withdrawal is required. - Plans and can withdraw from acting. 	
Appraise and analyse their own developing practice in the context of the ethical framework of the practice of law in Scotland	<ul style="list-style-type: none"> - Modifies own knowledge and practice in the context of feedback from tutors. - Demonstrates improvement in and knowledge of, ethical practice throughout the span of the programme. 	

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Conflict of interest	Positive indicators	Suggested appropriate methods of assessment
Understand the professional obligations of a solicitor to avoid conflicts of interest	<ul style="list-style-type: none"> - Is aware of and remains within the boundaries set by practice rules. - Demonstrates an awareness of the impact of a conflict of interest to a client and to the solicitor. 	<p>Ethics summative assessments should, where possible, be integrated with other subjects.</p>
Identify instances of conflicts of interest	<ul style="list-style-type: none"> - Identifies conflict scenarios (both actual and which might reasonably arise). - Is able to apply the practice rules correctly - Is aware of the possibility of a conflict of interest arising. 	<p>If providers are using such methods they need to make students aware of such assessments in advance</p>
Prevent a potential conflict from arising	<ul style="list-style-type: none"> - Demonstrates, or can explain, methods of preventing conflicts from arising. - Can identify conflict checks to be taken before instructions are accepted. - Reviews progress of a transaction to ensure no conflict has subsequently arisen or might reasonably arise. 	<p>A test of framework knowledge could be carried out, eg with multiple choice questions or standard short question format; but the most meaningful assessment of ethical practice in PEAT 1 will be in case-study, simulation, role-play or clinic.</p>
Resolve a conflict of interest	<ul style="list-style-type: none"> - Can explain options available in a conflict situation 	<p>If using multiple choice questions providers should be aware that for some students alternative assessments methods will be a reasonable adjustment.</p>

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Disclosure of personal interest	- Can explain importance of disclosing any personal interest in the course of a case/file/transaction	
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Confidentiality	Positive indicators	Suggested appropriate methods of assessment
Understand the professional obligations of client confidentiality	<ul style="list-style-type: none"> - Demonstrates an understanding of the limits imposed on a practitioner by the relevant practice rules. - Demonstrates an understanding of the duty of confidentiality to a client and is aware of the differing nature of duties to different clients. - Acts at all times in accordance with the duty of confidentiality. 	Ethics summative assessments should, where possible, be integrated with other subjects. A test of framework knowledge could be carried out, eg with multiple choice tests or standard short question format; but the most meaningful assessment of ethical practice in PEAT 1 will be in case-study, simulation, role-play or clinic.
Determine an appropriate course of action where conflict between a solicitor's duty of confidentiality and other professional duties is identified	<ul style="list-style-type: none"> - Proposes an appropriate course of action where a conflict arises. - Communicates an actual or potential breach of confidentiality to clients appropriately. - Demonstrates awareness of the consequences of breaching the duty of confidentiality 	If using multiple choice questions providers should be aware that for some students alternative assessments methods will be a reasonable adjustment.