

The Law Society of Scotland



Exempting Scottish LL.B. Degree

**Accreditation Guidelines for
Applicants**

September 2005

CONTENTS

1. Introduction

- 1.1. Guidance
- 1.2. Background
- 1.3. Relationship between the LL.B., the Diploma, the traineeship, the Professional Competence Course (PCC) and the Test of Professional Competence (TPC)
- 1.4. Standards
- 1.5. Terminology

2. PROGRAMME APPLICANTS

- 1.1. Basic Requirements
- 1.2. Prior Arrangements

3. ACCREDITATION EVENTS, PROCEDURES, & DOCUMENTS

- 3.1. Application procedure
- 3.2. Application documentation
- 3.3. LL.B. Accreditation & Inspection Panels
- 3.4. Period of accreditation
- 3.5. Accreditation Fees
- 3.6. Appeals against Panel recommendations

4. ANNUAL REPORTING & INSPECTIONS

- 4.1. Annual Reporting
- 4.2. Inspections
- 4.3. Pre-inspection documentation
- 4.4. Procedure for visiting
- 4.5. Report to the Education & Training Committee

Appendix A: Objectives Of The Exempting Degree: Areas Of Performance

Appendix B: Professional Subjects & Syllabi

Appendix C: Accreditation Standards - General

Appendix D: Accreditation Standards – Specific

Appendix E: Application for Accreditation of the Exempting LL.B. Degree in Scots Law

Appendix F: Application of this statement to previously accredited providers

1. INTRODUCTION

1.1. Guidance

Whereas the Law Society of Scotland (the "Society"), under the Solicitors (Scotland) Act 1980, is responsible for regulating the qualification of persons for entry to the solicitors' profession, the Society has issued this statement to set out the requirements for the accreditation of universities as providers of an Exempting Scottish LL.B. degree as qualification together with other training for entry to the solicitors' profession.

This document sets out for potential providers of a Scottish LL.B. Degree the relevant information as regards the programme content, structure of the programme, the accreditation procedures and standard to be applied by the Law Society of Scotland, and the monitoring procedures to be performed thereafter. Should any further information be required, please contact in the first instance the Education and Training Department of the Society:

T: 0131 476 8126/8155/8173
F: 0131 225 2934
E: legaeduc@lawscot.org.uk

1.2. Background

1.2.1 The Exempting Scottish LL.B. Degree (hereafter, LL.B.) provides an alternative to the professional exams of the Law Society of Scotland and has become the main route to entry to the profession within Scotland. Possession of an LL.B. (or the Society's Professional Exams) is a requirement for entry onto the later stages of professional qualification, primarily the Diploma in Legal Practice. It is recognised that:

- The Society's interest in the LL.B. is as an alternative route to qualification to a pre-diploma training contract and the Society's Professional exams
 - The professional subjects taught within the wider context of the LL.B. allow students exiting from an LL.B. to have acquired the requisite knowledge, understanding, and generic skills of those subjects that form the foundation of subsequent professional training. That the wider context of the LL.B. provides an alternative to the combination of academic study and vocational training which is the basis of the pre-diploma training contact route and provides sufficient scope for students to contextualise the professional subjects within the academic and social background that informs appropriate learning of all subjects
 - A significant number of students will not seek to enter the Scottish Legal Profession and will use the LL.B. as a general qualification. That because of this the Society's interest in the LL.B. will not be as great as it is in the later stages of education and training such as the Diploma in Legal Practice.
-

- The aim of the Diploma is to provide skills training, the development of a practical understanding of the application of the law of Scotland, and to develop an understanding of professionalism and ethics in line with the Society's Codes of Conduct and associated standards.
 - Other 'stakeholders', such as the Faculty of Advocates, have an interest in the LL.B. degree
 - The interest of the Society may have a different focus from the internal and other external quality assurance activities as it is seeking to assure itself both of the quality of the professional subjects which qualify student to proceed to the Diploma and that the professions interests in the teaching of those subjects is taken account of.
-

1.3. Relationship between the LL.B., the Diploma, the traineeship, the Professional Competence Course (PCC) and the Test of Professional Competence (TPC)

- 1.3.1 The LL.B. is the academic route to entry to the profession which is a substitute to passing the Societies exams. Amongst much else, the LL.B. provides an introduction to legal system as well as a body of legal knowledge and skills, to forms of legal analysis, and to the operation of law in Society.
- 1.3.2 The professional training regime begins on the first day of the Diploma, and ends with successful completion of the TPC. It is essential that everyone involved in the process treats these three years of training as a holistic process, in which all elements are designed to contribute to the professional education of trainees.
- 1.3.3 The Diploma in Legal Practice expands on the academic knowledge and generic skills acquired in the subjects already studied during the LL.B. and develops legal skills in these fields.
- 1.3.4 The PCC is a course that should develop trainee learning further than the Diploma, and enhance the learning that takes place during traineeship. It gives trainees the opportunity to reflect on that learning in a situation where they can work collaboratively with other trainees. It is not an academic course. The PCC is aimed at supporting the entire traineeship process, including the TPC. In this sense, the Course is really the start of CPD and lifelong learning, and should be regarded in that respect.
- 1.3.5 The TPC, which comprises a series of logbooks and performance reviews to be completed by trainees and their trainers, is designed to ensure that the outcomes of the whole of the training contract are met. The TPC relates to trainees' experience of work for their training employers.
- 1.3.6 The Society reserves the right to issue guidance, either directly or through the providers of the LL.B.s, to prospective students of the Diploma as to the areas of law of which those students are expected to have current knowledge.
-

1.4. Standards

Standards and criteria are specified throughout this document and its appendices. These should be seen as a minimum for accreditation and applicants are encouraged to aim for higher standards, develop their programmes, and innovate. All applicants are encouraged to submit examples of 'excellence' or details of planned developments alongside ensuring that information is provided in relation to all the minimum standards. These examples may cover areas such as modes of delivery and teaching, curriculum development, assessment, support, or any other relevant field.

1.5. Terminology

- 1.5.1 **'Admissions Regulations'** - Admission as Solicitor (Scotland) Regulations 2001
 - 1.5.2 **'Applicant'** - the organisation or persons wishing to apply to the Panel for accreditation of an LL.B.
 - 1.5.3 **'Council'** – the properly convened Council of the Law Society of Scotland
 - 1.5.4 **'Diploma'** - The Diploma in Legal Practice
 - 1.5.5 **'Director/Deputy Director'** - The Director or Deputy Director of Education and Training of The Law Society of Scotland
 - 1.5.6 **'Exempting Scottish LL.B. Degree'** (hereafter, LL.B.) – an LL.B. degree provided by an accredited (by the Society) institution and providing exemption from the Society's professional exams
 - 1.5.7 **'Institution'** – the provider, or applicant to provide, an exempting LL.B. degree
 - 1.5.8 **'Legal subjects'**: modules whose predominant theme is the study of doctrinal, theoretical, empirical, comparative or other aspects of law and legal phenomena (including criminology)
 - 1.5.9 **'Module'** - the series of self-contained credit bearing teaching and learning experiences of a particular subject
 - 1.5.10 **'Panel'** - the LL.B. Accreditation Panels that will be convened by the Society as required.
 - 1.5.11 **'Professional Subjects'** - those subjects, and the curriculum of those subjects, as specified (in Appendix B) from time to time by the Board of Examiners of The Law Society of Scotland.
 - 1.5.12 **'Programme'** - a degree programme (for example 'LL.B'.)
 - 1.5.13 **'Programme Director'** - the individual nominated by the Institution with responsibility for quality assurance in the delivery of the LL.B. degree programme
 - 1.5.14 **'Provider'** – an institution providing the LL.B.
-

2. PROGRAMME APPLICANTS

2.1. Basic Requirements

The Society will recognise universities as accredited for the provision of the LL.B. if the following requirements are met: -

- (a) The Society is satisfied that the applicant institution satisfies the criteria set out in Appendices.
- (b) The University awarding the degree has degree awarding powers conferred by the Privy Council or with the authority of the Scottish Executive.
- (c) The programme of study leading to the LL.B. will be one which satisfies external examiners that, in addition to the areas of performance set out in the benchmark standards of the QAA or as set out by any equivalent or successor body, students of that programme of study should have acquired the knowledge and general transferable skills set out in Appendix A.
- (d) The programme of study for the LL.B. includes the study of legal subjects for the equivalent of not less than two years so that for example, under the Scotcat system, a student gains not less than 240 credits in the study of legal subjects in a degree programme or in a combination of degree programmes containing either 360 or 480 credits.
- (e) The syllabus and reading list of the LL.B. shall include material equivalent to the Examination Syllabus as issued by the Society from time to time. The syllabus shall be varied only after reasonable consultation with the providers of LL.B. Not less than 180 credits in the LL.B. should be devoted to the material equivalent to the Society's Examination Syllabus. Students taking the LL.B. must pass all final assessments of the subjects equivalent to the Society's Examination syllabus.
- (f) The study of legal subjects within the LL.B. will normally be spread over the full duration of the programme and some study of legal subjects is required to take place during the final year of the degree programme.

Any university seeking accreditation which has difficulty in meeting the requirements of this statement should contact the Society in order to obtain any necessary clarification as to the requirements of these standards and assistance in meeting these standards.

2.2 Prior Arrangements

- 2.2.1 In order to protect the interest of students who have enrolled in LL.B. degrees prior to the coming into effect of this statement, those universities hereinafter referred to as "the existing providers" whose degrees in law have previously been recognised as qualification for entry to the Diploma in Legal Practice (*but had not been accredited under any former scheme of the Society*) shall continue to attract such recognition of their degrees but such recognition shall cease to be effective on and after 1st July 2008 from which date such recognition shall normally be dependent upon meeting the requirements of this statement.
- 2.2.2 Those universities which were previously accredited under the 'Statement Issued By The Law Society Of Scotland Upon The Accreditation Of Universities As Providers Of Degrees In Law' and 'Accreditation Of Universities: Procedure To Be Followed By Applicant Institutions' shall enter the four yearly cycle of accreditation of this scheme and will be due for accreditation four years from the coming into force of this scheme.
- 2.2.3 Those universities which were previously accredited under the 'Statement Issued By The Law Society Of Scotland Upon The Accreditation Of Universities As Providers Of Degrees In Law' and 'Accreditation Of Universities: Procedure To Be Followed By Applicant Institutions' will also be required to comply with the sections of this document stipulated in Appendix F from a date one year from the coming into force of this document.
-

3. ACCREDITATION EVENTS, PROCEDURES, & DOCUMENTS

3.1. Application procedure

- 3.1.1. Applicants should contact the Education and Training Department of the Society with early written intimation of their intention to apply for accreditation. There is no prescribed format that must be adopted, although the Society must be advised of the name of the contact person within the applicant's organisation and the approximate date on by which the applicant needs confirmation of a decision from the Society in order to run an accredited programme. A deadline for receipt by the Panel of the full application and a indicative timescale for its processing will be fixed by mutual agreement. It is realistic to expect that the whole process of accreditation will not usually take more than four to six months from the date receipt of the full application and supporting documentation. The Society will undertake best endeavours to ensure the process is managed as quickly as possible, that the applicant is provided with key dates, that a decision is reached as quickly as possible, and that the recommendation to the Society's Council is communicated to the applicant as soon as it is available.
 - 3.1.2. Accreditation of each applicant in terms of this statement shall be conditional upon the provision by the applicant to the Society of such information about its LL.B. which may be required to enable the Society to determine issues as to accreditation and shall provide such access as is reasonably necessary to enable the Society to carry out an appropriate inspection and to ascertain that accreditation standards have been achieved and maintained.
 - 3.1.3. The Society also recognises that this is a time-consuming and involved process for applicants. The Society and the Panel will respond to enquiries, requests for clarification, or any other communication from an applicant promptly. They will provide adequate explanation and justification for any requests made of an applicant. The Society secretariat will ensure that the applicant has a named point of contact at the Society who is available to deal with all requests, provide updates on progress, and where possible agree issues on procedure and timescale mutually to ensure the smooth running of the process. The Society will actively canvas feedback from applicants once the process is complete with a view to using that feedback to inform and improve the process in the future.
 - 3.1.4. The Education and Training Committee of the Law Society of Scotland reserve the right to set limits to the number of applications that can be dealt with each year and deadlines as to when applications in any one year must be received.
-

- 3.1.5. Documents submitted will be considered confidential. The process will remain confidential until such time as the recommendation of the Panel is approved by the Council of the Law Society of Scotland.

3.2. Application documentation

- 3.2.1. This is detailed in Appendix E.
- 3.2.2. Five to six copies, depending on the number of Panel members, of the entire application and all supporting materials will be required. Two copies must be sent to the Deputy Director of Education and Training at the Society (a 'working' copy and a 'file' copy), and one copy to each of the Panel members who will consider the application. The Deputy Director will provide the names and addresses of the appropriate Panel members.
- 3.2.3. Each of the applications and sets of supporting documents should be identical in content and presentation.
- 3.2.4. Reference to websites / other materials should only be made where it is unreasonable to supply full text on certain issues or where the applicant believes reduction to paper would be detrimental to the quality of the materials; for example, because they are interactive in nature. In such instances the applicant is encouraged to discuss with the Society appropriate formats in advance of submission so that Panel members are assured access. Wherever possible the Panel should be capable of forming conclusions from the application and supporting documents without the need to refer elsewhere.
- 3.2.5. The 'file' copy will be the definitive document referred to should there be any dispute as to what papers were submitted.

3.3. LL.B. Accreditation & Inspection Panels

3.3.1. Membership

An appropriate Panel will be convened on receipt of an application and will consist of not less than three members, and not more than five, with composition based on ensuring an appropriate range of skills and experience is present. The members of the Panel will have such experience as the Education & Training Committee in its considered opinion considers relevant but will include:

- at least one member of the Education & Training Committee, Admissions Committee OR Council
 - at least one solicitor entitled to practise in Scotland and who has been substantially and recently involved in the teaching
-

and administration of the Diploma in Legal Practice over a period of at least two years.

- at least one member who has been involved in the provision of a traineeship or the development of trainees within a firm/organisation within the last five years.
- at least one academic representative with experience in providing an LL.B. degree.

In some circumstances individuals may be able to bring more than one category of experience to the Panel, it is balancing the experience of the Panel which is of prime importance.

The applicant will have an opportunity to respond on the suggested Panel, as detailed at paragraph 3.3.2.

The quorum for all meetings of the Panel, except inspections (see Section 4), will be three members. At the discretion of the Deputy Director of Education and Training Panel members may participate in meetings via video or audio conferencing.

At all meetings a member of the Executive of the Education and Training Department of the Law Society will be in attendance and will act as secretary.

3.3.2. *Confirmation of Panel*

The applicant will be asked to confirm in writing their acceptance of the proposed composition of the Panel that will consider the application. This is to allow the applicant the opportunity to respond on issues they may have in relation to the Panel and its composition, the skills and experience represented, conflicts, or any other reasonable cause. If such issues are raised the Society will, by a process of mutual dialogue, attempt to agree an acceptable Panel. The Society notes an application cannot be processed until such time as an appropriate Panel is agreed.

3.3.3. *Powers*

The Panel will have the power to investigate and make recommendations to the Council of the Law Society of Scotland about all aspects of LL.B. provision. The Panel may recommend:

A Refusal to Accredit

If the Panel decides to recommend refusal of accreditation to an applicant it must state its reasons for doing so. Those reasons must derive from this Statement. The Panel should give advice to the applicant as to the steps it should take to obtain accreditation under a new application.

A Request for further information

The Panel may decide that it cannot reach a decision on accreditation on the basis of the written documentation as supplied and is entitled to request further information from the provider relating to the criteria

set out within this document or relating to information as supplied by the provider.

A Visit to the Applicant Institution

The Panel may decide that it cannot reach a decision on accreditation on the basis of the written documentation and it needs to visit the applicant institution.

The Panel should give reasonable notice to the university of its intention to visit and it should indicate that it may wish to view the accommodation and meet staff and students connected with the proposed LL.B..

Accreditation/Conditional Accreditation

The Panel may attach any conditions it deems reasonable, subject to the approval of Council, to ensure the quality of the LL.B. provision.

The Panel will attach **standard conditions to all recommendations to accredit** which will comprise:

- An obligation on the university to notify the Society of material reductions in the resources available to students on the LL.B.
- Notification of material changes to the curriculum in relation to the professional subjects
- Notification of changes to external examiners
- That correspondence and requests for information from the Society to the Programme Director named on the application, or the intimated replacement thereof, is responded to within 14 working days. That where this is not possible the Society be notified as to why it is not possible and when a response will be possible by. (NB The Society will deal with requests from providers on the same basis).
- Submission of annual reports by each of the external examiners on the LL.B. covering the issues identified in Appendix D at paragraph D9
- Submission of an annual report based on the Society's reporting template, as approved by the Education and Training Committee

The Panel may attach **additional conditions** (creating a 'Conditional Accreditation') necessary to ensure the accreditation standards are met and provide timescales in which the conditions must be complied with.

- 3.3.4. The Deputy Director will write to the Programme Director as soon as possible to advise of the Panel's decision, and in the case of recommendations of refusal, suspension or termination will give the Panel's reasons. In the case of conditional accreditation, a timescale will be given within which the conditions must be fulfilled.
 - 3.3.5. At the discretion of the Panel, the applicant may be invited to nominate representatives to attend a meeting with the Panel.
-

- 3.3.6. The Panel may continue its consideration of an application, pending the receipt of further documentation and information from the applicant, before making any decision regarding accreditation.

3.4. Period of accreditation

- 3.4.1. Applicants will be accredited for a period of *four academic years* from the date of accreditation.
- 3.4.2. The Society shall be entitled but not obliged to withdraw accreditation granted in terms of this statement, or to make the continuation of any such accreditation subject to conditions, in respect of any Provider that fails to comply with the conditions set out. Accreditation shall not be withdrawn except on the minimum of twelve months notice except in such special circumstances as it would be reasonable to provide a lesser period of notice.
- 3.4.3. The Society reserves the right to issue notices in the *Journal* detailing the outcome of the accreditation process and annual reporting, key issues identified, and any conditions requiring to be satisfied by providers.
- 3.4.4. The Society reserves the right to request the attendance of a representative of the LL.B. provider to discuss any variances from the Accreditation standards which come to light as a result of annual report or any other means.

3.5. Accreditation Fees

- 3.5.1. Each institution which applies for accreditation for the purposes of this statement shall require to pay to the Society a fee of £1500 + VAT to cover the processing of the initial application. Where the Society requires to conduct enquiries beyond the scrutiny of the initial application and documentation submitted by each applicant University, then the Society shall be entitled to recover from each applicant University the costs of any such further enquiries as may reasonably be required in order to determine that University's application. The Council of the Society will not make a final decision on accreditation until such time as all outstanding monies are paid.
- 3.5.2. A further annual fee of £200 + VAT is payable in the year following accreditation and until such time as accreditation ends or a new application for accreditation is submitted. This fee is to cover the costs of inspections, processing annual reports, dealing with enquiries and variations to accreditation during each year of accreditation.
- 3.5.3. It should be noted that the Society contributes to the costs of accreditation of institutions through the provision of staff and
-

administrative resources that is not recharged to the providers. Likewise the providers contribute in terms of staffing and other costs that cannot be recharged to their clients. Accreditation fees are not intended to make a profit. Accounts will be available for inspection by the accredited providers on request.

3.6. Appeals against Panel recommendations

- 3.6.1. An applicant has the right to be represented by a Council member at any meeting of the Council of the Law Society of Scotland at which any recommendation in relation to an accreditation process, pertaining to their institution, will be under consideration.
 - 3.6.2. Regulation 40 of the Admission as Solicitor (Scotland) Regulations 2001 states that "Any person who is the subject of a decision by the Council under any of these Regulations and who is aggrieved by that decision may, within 21 days of written intimation of the decision, appeal to the Court of Session". The Society accepts that "a decision by the Council under any of these regulations" includes a decision to accept or reject any of the recommendations of the Accreditation Panel listed in para 3.3.3 above.
-

4. Annual Reporting & Inspections

4.1. Annual Reporting

At the end of each academic year providers will be obliged to provide an Annual report on the LL.B. Degree. A Report Template will be issued by the Society requesting basic information on numbers, profile of students, facilities, and the other criteria used for Accreditation. In most instances providers will simply be requested to sign statements confirming that they are still complying with accreditation requirements. A copy of the Annual Report Template is available on request.

4.2. Inspections

Should the Education and Training Committee have any concerns following the submission of an annual report or a complaint from an interested party, meriting further investigation or identifying a pattern of issues, they reserve the right to visit and inspect programme provision of the LL.B. or appoint a Panel to do so. This may relate to:

- Verifying information provided by the applicant
- Gaining a sense of the quality of the teaching, learning and formative/summative assessment taking place on the provider's programme
- Dealing with a specific issues identified

In all instances the accredited provider will pay the travel costs of the Panel.

4.3. Pre-inspection documentation

In addition to the documentation supplied by the provider, the Panel may ask for any other documentation to be supplied prior to the visit, no later than a week prior to the visit.

4.4. Procedure for visiting

4.4.1 Pre-visit

At least four weeks before the visit the Panel will inform the provider of its intention to visit. The Panel will provide an 'agenda' for the meeting detailing what areas are of interest. This may include the requirement to view teaching in progress, either in a particular subject area of interest or to offer illustration of the provider's approach and standards, and view supporting documentation such as relevant teaching and assessment documentation.

4.4.2 Duration

The visit should last no more than one day, and may only comprise a part day. Due consideration will be given to different delivery models and the

appropriate time to visit – for example, some providers may have evening or weekend sessions. It is important that the visit is kept as informal as possible. The visit is an opportunity for the Panel to scrutinise educational provision and student achievement; but it is also an opportunity for providers to bring to the notice of the Panel exceptional work by students, or aspects of innovative programme design and delivery. It is essentially an occasion for dialogue with, as well as oversight by, the Panel.

4.4.3 The Panel

For the purposes of visits and inspections the panel is quorate at two members.

4.4.4 The Visit

The Panel may:

- visit a class and, if the class involves face-to-face teaching, sit in on the lecture, tutorial or workshop. Panel members will not interrupt the teaching, but to remain as much as possible in the background.
- talk to students after the class about their experience of the class, as well as their wider experience of the programme, and review their work. The Panel may request to speak to students on the programme, without the presence of tutors or Programme Director.
- discuss with the Director of the programme any issues that may have arisen in the programme of the visit.

4.5. Report to the Education & Training Committee

The Panel will draw up a report on their visit. The report will be based on the visit 'agenda' as issued by the Panel and specify aspects of provision that:

- met or exceeded the standards acceptable to the Panel
- could be improved in some form or other
- must be urgently addressed by the Provider. Failure to do so may result in a recommendation that accreditation be suspended or terminated.

Prior to the submission of the report to the Education and Training Committee a representative nominated by the provider will have the opportunity to comment on the report and correct any factual issues arising. The provider will also be entitled to submit a response to the report that will accompany it when it is submitted to the committee.

Appendix A: Objectives Of The Exempting Degree: Areas Of Performance

The programme of study leading to the LL.B. will be one which satisfies external examiners that, in addition to the areas of performance set out in the benchmark standards of the QAA or as set out by any equivalent or successor body, students of that programme of study should have acquired the knowledge and general transferable skills set out in this section.

A.1. Subject Specific Abilities

- I. Knowledge: A student should demonstrate a fundamental knowledge and understanding of the principal features of the legal system and law of Scotland: He or she
 - should be able to demonstrate knowledge of a substantial range of major concepts, values, principles and rules of that system and to explain the relationship between them in a number of particular areas;
 - should be able to explain the main legal institutions and procedures of that system;
 - should be able to demonstrate study in depth and in context of a number of substantive areas of the legal system;
 - should be able to demonstrate knowledge of the principal sources of the law of Scotland, of how it is made and developed and of the personnel who practice law in Scotland.

 - II. Legal and Ethical Values: A student should demonstrate a well-informed knowledge and understanding of the social, economic, moral and ethical context of law and a commitment to the application of legal and ethical standards in his or her conduct and activities.

 - III. Application and Problem-Solving: A student should demonstrate analytical skills, an ability to identify issues, an awareness of problem-solving techniques and an ability to apply his or her knowledge creatively to complex situations in order to provide arguable solutions for concrete problems (actual or hypothetical).

 - IV. Sources and Research: A student should demonstrate an ability:
 - to identify accurately the issue(s) which require researching and to formulate them with clarity;
 - to identify and retrieve up-to-date legal information, using paper and electronic sources;
 - to use primary and secondary legal sources relevant to the topic under study.
-

A.2. General Transferable Intellectual Skills

- I. Analysis, Synthesis, Critical Judgement and Evaluation: A student should demonstrate an ability:
 - to recognise, analyse and rank items and issues in terms of relevance and importance;
 - to bring together and integrate information and materials from a variety of different sources;
 - to produce a synopsis of relevant policy issues in relation to a topic;
 - to make a critical judgement of the merits of particular arguments;
 - to present and make a reasoned choice between alternative solutions.
- II. Independence and Ability to Learn: A student should demonstrate an ability, with limited guidance:
 - to act independently in planning and undertaking tasks in areas of law which he or she has already studied;
 - to undertake independent research in areas of law which he or she has not previously studied, starting from standard legal information sources;
 - to reflect on his or her own learning, and to seek and make use of feedback.

A.3. Key Personal Skills

- I. Communication and Literacy: Both orally and in writing, a student should demonstrate an ability:
 - to understand and use the English language accurately and proficiently in relation to legal matters;
 - to present information, knowledge or an argument in a way which is comprehensible to others and which is directed at their concerns;
 - to address the resolution of disputes by a variety of adversarial and non adversarial skills;
 - to communicate with others in a clear and meaningful manner;
 - to read and discuss legal materials which are written in technical and complex language
 - II. Personal Management: A student should demonstrate an ability to organise and prioritise effectively the expenditure of his or her time and effort in the performance of all aspects of student work.
 - III. Numeracy, Information Technology and Teamwork: A student should demonstrate an ability:
 - where relevant and as the basis for an argument, to present and evaluate information provided in numerical or statistical form
-

- to produce a word-processed essay or other text, and to present such work in an appropriate form;
 - to conduct efficient searches of websites to locate relevant information; and to exchange documents by E-mail;
 - to use some electronic information retrieval systems;
 - to work in groups as a participant who contributes effectively to the group's tasks
-

Appendix B: Professional Subjects & Syllabi

The syllabus and reading list of the LL.B. shall include material equivalent to the ***Examination Syllabus*** (available on request) as issued by the Society from time to time. The syllabus shall be varied only after reasonable consultation with the providers of the LL.B. Not less than 180 credits in the LL.B. should be devoted to the material equivalent to the Society's Examination Syllabus. Students taking the LL.B. must pass all final assessments of the subjects equivalent to the Society's Examination syllabus, these being:

- Public Law And The Legal System
 - Conveyancing
 - Scots Private Law
 - Evidence
 - Scots Criminal Law
 - Taxation
 - European Community Law
 - Scots Commercial Law
-

Appendix C: Accreditation Standards - General

The Panel will take cognisance of a range of factors including those specified generally in this documents and in the following Appendix (D) on 'Accreditation Standards – Specific'. Furthermore, in forming their recommendation the following standards will inform the decision-making:

- C.1 **Clarity** of information
- C.2 **Specificity** of information, in relation to what is requested
- C.3 **Detail** – adequate on which to form an opinion
- C.4 **Coverage** – that all issues are addressed
- C.5 Awareness of the **state-of-the-art** in relation to education, teaching, learning, methods, assessment, technology, resources needs, etc.
- C.6 Evidence of **commitment to the teaching** of law and the associated resource implications
- C.7 Evidence of **commitment to research and/or development** which informs the core subjects of the LL.B. as required by The Law Society of Scotland
- C.8 Evidence of **leadership and a clear vision**, mission, and objectives in relation to the delivery of legal education
- C.9 Awareness of the **needs and requirements of the legal profession** in relation to legal education
- C.10 Evidence of **Quality Assurance activity, reviews and inspections** - this will be persuasive in the decision making process. However, it should be noted that the role of the Society is Accreditation of the LL.B., a possible part of the pathway to qualification as a solicitor. Consequently the emphasis will be on the role of the provider in preparing the students for stages of training subsequent to the LL.B. and for the profession, not on simply general academic standing. Therefore, this document is separate to, and comes from a different perspective from, academic accreditation.

Failure in one or more of these general standards, as applied to the 'specific standards' should not necessarily prevent the accreditation, or the continuation of the accreditation, of a particular institution. However, where the Panel agree there is a pattern of these 'general standards' not being met across one or more of the 'specific standards' then it is likely that accreditation may require the submission of further documents, a visit, be conditional, or that it may be refused; dependent on the seriousness and frequency of the failings.

The Panel can waive, for a set period or for the whole period of accreditation, any standard, criteria, or condition contained within this document. The Panel will only do so where an applicant has provided detailed information as to why the relevant criteria is not being/to be met along with an educationally justifiable alternative, solution, or substitute. For example, a reduced library holding but compensated for by an enhanced electronic holding.

Appendix D: Accreditation Standards - Specific

D.1. General

The Society shall consider performance over the following range of standards, attributing appropriate degrees of importance to each of them in recognition that different applicant institutions may have different qualities and strengths and shall award accreditation if performance against that range of standards is considered to be acceptable. Failure in one or more of these 'specific standards', as interpreted in light of the 'general standards', should not necessarily prevent the accreditation, or the continuation of the accreditation, of a particular institution. However, where the Panel agrees there is a pattern of these 'specific standards' not being met then it is likely that accreditation may require the submission of further documents, a visit, be conditional, or that it may be refused; dependent on the seriousness and frequency of the failings.

D.2. Staffing

D.2.1 Staff Qualifications

Universities seeking accreditation for their LL.B. programmes should ensure:

- (i) that teaching is delivered by staff who are appropriately qualified, and
- (ii) that there is appropriate input from the legal profession to the teaching of the professional subjects.

Appropriate qualifications would include the following:

- (a) an undergraduate degree in law which included the study of the subject being taught, for example, an LLB from a Scottish University or similar degree from another appropriate jurisdiction, or
- (b) a higher degree in law which included the study of/research in the subject being taught (for example, LLM, MSc, JD or PhD), or
- (c) substantial scholarly publications in the field, or
- (d) substantial experience of teaching in the subject, or
- (e) substantial experience as a legal practitioner in the subject in Scotland or in another appropriate jurisdiction, or
- (f) other qualifications or experience which demonstrate that aptitude and knowledge necessary to deliver teaching to the appropriate standard

In relation to professional input, it would be expected that suitably qualified members of the legal profession in Scotland would be involved in either the design, the delivery or the review of the qualifying programme and each of the professional subjects.

Providers will be asked to report annually on breakdown of staff qualifications and the involvement of the profession, and the Society may intervene if it is felt that either interest is being compromised.

D.2.2 Staff Development

Applicant institutions are expected to have appropriate staff development policies including induction and monitoring for new staff. Areas covered should include:

- Skills teaching
- Small group teaching
- Assessment
- Equal Opportunities and Diversity
- Pastoral duties

All academic staff (and first time appointments in particular) should be encouraged to receive training under the auspices of the Higher Education Academy, or an equivalent overseas qualification.

D.2.3 Staff Load

Class contact hours for part time and full time staff should be reasonable and for full time staff, a maximum load would not normally exceed 200 hours a year of timetabled classes.

D.2.4 Staff Ratio and Student Ratio

Other than in exceptional circumstances, a maximum acceptable student/staff ratio should be 30:1 FTE students to full time staff.

It is important that universities seeking accreditation offer the LLB as an integrated programme of learning in law so that students derive the benefits which flow from following a common programme of study. This principle does not imply that LLB students may not be taught professional subjects along with students on other programmes. However, where LLB students are taught along with those on other programmes universities must take steps to ensure (i) that the aims and intended learning outcomes, methods of teaching and assessment and standards of assessment of the modules in question are those appropriate to modules in an LLB programme which exempt from the Society's Examination Syllabus, and (ii) that the combining of different groups of students does not have an adverse effect on the teaching or assessment of LLB students.

It is understood that there will normally be no objection to LLB students receiving lectures in the professional subjects along with students on other programmes. However, it is expected that LLB students will normally form the great majority of students in any seminar, tutorial or other small group teaching session at which student interaction is expected.

Other than in exceptional circumstances a maximum acceptable staff/student ratio for small group work/tutorials/seminars/workshops should be 1:20 tutors to students.

Any variance from these ratios should be justified to the Society.

Any ratio is acceptable in large group teaching.

D.3. Teaching Accommodation

Teaching accommodation should be adequate and appropriate for the attainment of the aims and objectives of a LL.B. and the individual subjects. There should be provision for assessment and feedback for students and internal quality assurance mechanisms should be adequate and appropriate for the attainment of the aims and objectives of a LL.B. and its individual subjects.

D.4. Library and IT Facilities

The applicant institution should be in possession of adequate or better library resources. A separate law library is desirable but it is acceptable for the great bulk of the law holdings to be in the main library providing that this is reasonably close to where the students' other teaching and learning activities take place. The minimum standard for holdings and facilities in the library should be those adopted in the "Standards for University Law Library Provision" published by the Society of Legal Scholars but applicant institutions may demonstrate in relation to any respects in which they fail to meet that standard whether and how such failure shall be non-detrimental to the education and training of prospective entrants to the Diploma and to the profession of solicitor.

The appropriate use of information and communications technology, including computer based learning and Internet, is expected. There should be a sufficient ratio of students to computers to allow the aims and objectives of each module to be fully realised using university facilities.

D.5. Diversity and Equal Opportunities

The Law Society of Scotland has responsibilities under a range of Diversity legislation covering its public and regulatory functions, its operation as a qualifications body and as a membership organisation. As part of its commitment to meeting the requirements of this body of legislation the Society needs to be assured that issues of Diversity are taken into all decision making and policy setting.

Applicants are, therefore, required to provide information on Equal Opportunities and Diversity within their institution, faculty, and department.

This information should include:

- Equal Opportunities statement of the provider
 - Details of schemes and arrangements for promoting access
 - Details of arrangements, accessibility and support services for people with a range of disabilities
 - A statement on work undertaken to ensure that assessment methodologies and teaching methods do not discriminate on Diversity related criteria
 - Information on how issues of discrimination, diversity, good relations and cultural understanding are taught pervasively through the curriculum
-

D.6. Quality of Research and Publications

LLBs should emanate from a department where a majority of the staff are research active. This may be demonstrated by :

- (a) the achievement of a rating of a minimum of 3B in the RAE 2001 exercise in respect of applications made prior to the publication of the results of the 2008 exercise; or
- (b) the majority of work submitted achieving a rating of at least 1* in the RAE 2008 exercise; or
- (c) the likelihood that the department would have received such a rating as is mentioned in (b) above had it submitted to that exercise; or
- (d) the likelihood that it will receive such a rating as is mentioned in (b) above in respect of its submission to that exercise; or
- (e) such other evidence of research activity as is acceptable to the Society.

D.7. Entrance Requirements

Details of the applicant's admission policy and criteria should be supplied. The Society sets no standards for institutions but requires such information to inform policy in relation to the Society's own professional exams and to allow reporting on access to education.

D.8. External Examiners

Every provider of the LL.B. must appoint external examiners for all professional subjects and ensure these examiners report annually on:

- i. whether the academic standards set for the provider's awards, or part thereof, are appropriate;
- ii. the extent to which the provider's assessment processes are rigorous, ensure equity of treatment for students and have been fairly conducted within institutional regulations and guidance (this being informed by reviewing actual assessed work);
- iii. the standards of student performance in the programmes or parts of programmes which they have been appointed to examine;
- iv. where appropriate, the comparability of the standards and student achievements with those in some other higher education institutions;
- v. which section(s) of the Society's Syllabus of professional subjects that examiner is responsible for and whether the relevant section(s) of the Syllabus of professional subjects (Appendix B) has been satisfactorily covered by teaching and assessment;
- vi. innovative examples of teaching and assessment they have identified.

The collated reports for all subjects should be submitted annually to the Society as part of the annual reporting process and those examiners responsible to and appointed by the provider shall be relied upon to ascertain whether the standards of the applicant institutions are sufficiently high to enable accreditation to be awarded and continued, and to ensure that consistent standards are maintained from one accredited institution to another, and also across the relevant subjects within each accredited institution.

External examiners will normally be drawn from persons with experience of examining in one or more of the accredited LL.B. degrees or from the existing or former professional examiners of the Society or of the Faculty of Advocates. Where they do not come possess such experience the applicant should be prepared to justify the appointment on the basis of other skills and experience.

D.9. Reports on Student Feedback

It is essential that student feedback is gained on the LL.B. programme and that such information is provided in annual reports to the Society.

Factors that should be measured include student perceptions of:

- Clarity of module aims, learning outcomes
- Effectiveness of Programme administration, including communication with students throughout the Programme
- Quality of experience and learning in lectures, tutorial, workshops and other timetabled activities
- Feedback from assessed exercises, essays and (where provided) on tutorial performance
- Accessibility of staff
- Accessibility of IT and library services
- The appropriate use of information and communications technology, including computer based learning and the Internet
- Quality of teaching materials

D.10. Randomly Selected Examples of Student Work

The applicant institution will be required to provide in the case of the existing providers assessed work of the various classes of students who have completed the relevant modules along with the relevant instructions and assessment details and in the case of other applications, assessed work of the classes of students of the proposed LL.B. along with the relevant instructions and assessment details or, where such scripts are not available, such other relevant examination scripts as may be appropriate for the purposes of accreditation. The applicant need not/will not be asked to provide examples further back than the previous academic year. The Society will make the relevant selection from the work received and consult with the external examiners with a view to ascertaining whether it meets the standard required for accreditation.

Appendix E: Application for Accreditation of the Scottish LL.B. Degree

Any university wishing to apply to run an accredited LL.B. must complete this application form. Two copies of the completed application and all supporting documentation, plus the accreditation fee, should be sent to the Deputy Director of Education and Training at the Law Society of Scotland. This allows for a working copy and a file copy for the Society. Three to four further copies should be prepared and sent directly to Panel members, addresses will be intimated by the Society.

The Society must receive the application and all documentation at least six weeks before the meeting at which the application will be considered. The Deputy Director will advise the applicant of the date of the meeting as soon as possible after the applicant has made the initial written intimation of its intention to apply for accreditation.

Section A

Organisation

Name: _____

Address: _____

Legal Post: _____

Title of the degree to be considered for accreditation

Form of LL.B. delivery

How will the organisation offer the LL.B.? (Please tick all that apply)

- Three-year Ordinary degree
- Four-year Honours Degree
- Two-year Accelerated Ordinary
- Part-time Ordinary/Honours
- Distance-learning Ordinary/Honours
- Other (please describe below)

Please note that if the organisation has ticked more than one box above it should provide separate details, where appropriate, of the programmes.

Contact names

LL.B. applicant organisations require to nominate a Programme Director. Please attach a brief CV together with a brief statement as to this person's suitability for the post.

Name of Programme Director: _____

Position within organisation: _____

Telephone: _____

Email address: _____

Name of administrative contact: _____

Position within organisation: _____

Telephone: _____

Email address: _____

Name of Head of School: _____

Position within organisation: _____

Telephone: _____

Email address: _____

When does the organisation require accreditation by (for new providers this will be the first time you intend to run the LL.B., for current providers this will be the first intake of students after current accreditation expires)?

Please give approximate date.

How many places will be available on each of the LL.B. programmes listed above?

Current provision of legal education & training

Does the organisation currently offer:

- | | |
|--|--------------------------|
| LL.B. | <input type="checkbox"/> |
| BA in law / law and management | <input type="checkbox"/> |
| HNC / HND in law / law and management | <input type="checkbox"/> |
| Diploma in Legal Practice | <input type="checkbox"/> |
| Professional Competence Course | <input type="checkbox"/> |
| CPD (legally related) | <input type="checkbox"/> |
| Other training (please describe briefly below) | <input type="checkbox"/> |

Application Fee

£1500 + VAT – This fee is payable per Accreditation process (which may be for some or all of the above forms of delivery)

Please make cheques payable to The Law Society of Scotland

Authorising Signatures

Course Director: _____

Head of School: _____

Principal: _____

Please note: **any change in the above details must be intimated to the Law Society.**

Section B

The organisation is required to supply information regarding aspects of LL.B provision. Six copies of the application and all supporting documents and materials are required. Two copies must be sent with the accreditation fee to the Deputy Director, and one copy to each of the Panel members. The Society will provide the names and addresses of the Panel members who will consider the application.

Applicants should provide documentation in the following areas:

(i) Institutional Information

- Current undergraduate and postgraduate provision in law and allied subjects
- Length of experience in undergraduate and postgraduate law programmes. If available, institutional and school prospectuses should be supplied with this information
- An indication of the university's quality assurance procedures

(ii) Resources Statement

- Teaching accommodation for the LL.B.: extent, location, proximity to library and IT provision, forms of accommodation (ie lecture theatres, seminar rooms etc)
- Information technology provision: location, whether the provision is restricted to the use of law students or faculty students, the extent of the facilities (in both hardware and software), access to the facilities, the extent of technical assistance and the training given
- Library facilities and stocks: whether there is a separate law library; the extent of the holdings; whether the library stocks meet TQA and Society of Legal Scholars minimum holdings and, if the provision does not meet these standards, why such failure is not detrimental to the education of those aspiring to enter the profession as solicitors; library access and opening hours; library staff
- Student support services and pastoral care

(iii) Diversity Statement

- Equal Opportunities statement of the provider
 - Details of schemes and arrangements for promoting access
 - Details of arrangements, accessibility and support services for people with a range of disabilities
 - A statement on work undertaken to ensure that assessment methodologies and teaching methods do not discriminate on Diversity related criteria
 - Information on how issues of discrimination, diversity, good relations and cultural understanding are taught pervasively through the curriculum.
-

(iv) Staff

- The names of Law School (or department or section) staff who it is intended will teach and internally examine the LL.B.
- A statement in respect of all members of staff as to whether they are full-time or part-time and the proportion of their teaching time each year devoted to the LL.B.
- The total FTE of staff devoted to the exempting law degree;
- Curricula vitae of all staff, stating *inter alia*, their professional legal qualifications, their academic qualifications in law, their scholarly publications and whether they have membership of the Higher Education Academy, or an equivalent overseas body
- The proposed ratio of FTE staff to students on the LL.B.
- How teaching ratios will be met for small group work
- Average number of timetabled teaching hours per year for each member of staff
- Staff development and induction policies; procedures for monitoring new staff; indicative list of training and development activities of staff in previous year
- Quality of research and publications; the rating achieved in the Research Assessment Exercise. If no rating is available, evidence from both within and outside the university as to the research rating the department offering the degree could attain.

(v) The Definitive Programme Document

This should include (for the current year and in relation to the professional subjects):

- The aims and objectives for the programme
 - An explanation of how the LL.B. will meet the standard in the areas of performance set out in the benchmark standards of the QAA and how students will acquire the knowledge and skills set out in Schedule Two of the Statement
 - The assessment strategy and assessment objectives for the programme
 - The curriculum including syllabi and reading lists
 - The proportion and spread of legal subjects in the LL.B.;
 - The proportion of the degree devoted to the material equivalent to the Society's Examination Syllabus
 - The minimum proportion of time devoted to law which a student would need to undertake to satisfy the requirements of the LL.B.
 - Details of the class ratios in each of the professional subjects, for each teaching format used (for example, lecture format or small group/tutorial), between students on the Exempting LL.B. programme and other students
 - Minimum entrance qualifications for students and, if available, average qualifications on entry
 - A minute of the internal validation or quality assurance approval for the LL.B..
-

(vi) Examples of Students' Assessed Work

- In the case of existing providers, from students who have completed the existing LL.B.
- In the case of other applications, the assessed work of students on the proposed LL.B., together with the relevant instructions and assessment details or, where such scripts are not available, such other relevant examination scripts as may be appropriate for the purposes of accreditation
- In all cases, the following principles apply: the examples should be drawn from three different curriculum areas of the professional subjects, normally including two Level Three or Level Four; ten examples from each curriculum area should be submitted; If less than ten students have completed the assessment in a particular curriculum area, all examples of the assessment in that area should be sent; where possible, the sample should include examples of assessments marked at the pass/fail borderline and of each honours grading.
- The examples should be accompanied by the examination paper or assessment instructions and the mark schedule used by the internal assessors.

(vii) External Examiners

- Names of all external examiners on the LL.B. and the extent of their curriculum coverage
- Details of their qualifications and previous experience as external examiners
- A statement of their duties, which must include approval of examination papers, sampling of students' work and generally moderating and validating marks.
- This statement of duties must include the submission of an annual report which states whether or not the examiner is satisfied that, in addition to the areas of performance set out in the benchmark standards of the QAA, the students graduating from the exempting law degree have acquired the knowledge and general transferable skills set out in Appendix A of the Statement.

Guidance should also be sought from the appendices on Accreditation Standards 'General' and 'Specific'

Appendix F: Application of this statement to previously accredited providers

F.1 Those universities which were previously accredited under the 'Statement Issued By The Law Society Of Scotland Upon The Accreditation Of Universities As Providers Of Degrees In Law' and 'Accreditation Of Universities Procedure To Be Followed By Applicant Institutions' shall enter the four yearly cycle of accreditation of this scheme and will be due for reaccreditation four years from the coming into force of this scheme.

F.2 These providers shall also be required to comply with the sections of this document stipulated in this Appendix from a date one year from the coming into force of this document in the following manner:

Such providers should take note of:

1. Introduction
+ all subsections
2. Programme Applications
2.2 Prior Arrangements – section 2.2.1 only
3. Accreditation Events, Procedures & Documents
 - 3.1 Application Procedure
 - 3.2 Application Documentation
 - 3.4 Period of Accreditation – sections 4.4.1. only
 - 3.5 Accreditation Fees

Appendix C
Appendix E

Such providers must comply with:

2. Programme Applications
 - 2.1 Basic Requirements
 - 2.2 Prior Arrangements – sections 2.2.2 & 2.2.3 only
3. Accreditation Events, Procedures & Documents
 - 3.3 LL.B. Accreditation and Inspection Panels
 - 3.4 Period of Accreditation – sections 4.4.2., 4.4.3, & 4.4.4 only
 - 3.5.2 Fees – annual reporting fee will be due from all providers
 - 3.6 Appeals against Panel Recommendation
4. Annual Reporting and Inspections
+ all subsections

Appendix A
Appendix B
Appendix D
Appendix F
