

1. **Title of the module**

Professional Conduct and Regulation

2. **School or partner institution which will be responsible for management of the module**

Pearson College London

3. **The level of the module**

Level 6

4. **The number of credits and the ECTS value which the module represents**

10 credits (5 ECTS)

5. **Which term(s) the module is to be taught in (or other teaching pattern)**

The module will always be taught in the second term of a student's studies at level 6 (stage 3) (whether or not they started in September or January).

6. **Prerequisite and co-requisite modules**

Pre-requisites: none

Co-requisites - none

7. **The programmes of study to which the module contributes**

Certificate of Higher Education

Diploma of Higher Education

LLB (Honours)

LLB Law with Accountancy

LLB Law with Business Management

MLaw Legal Professional Practice (Exempting)

8. **The intended subject specific learning outcomes**

On successfully completing the module students will be able to demonstrate:

Subject Specific Knowledge and Skills

1. A systematic understanding of the key ethical requirements contained in the SRA Principles of Regulation and Code of Conduct, as well as anti-money laundering and financial services regulations, and where these may impact.

2. A detailed and systematic understanding of the ethical concepts involved in regulation of professional conduct that enables the student to devise and sustain arguments, and to propose solutions to complex practical problems, using ethical ideas and techniques which underpin the regulatory framework.

3. An ability to recognise the relevant SRA Principles of Regulation and parts of the Code of Conduct raised in the context of practical legal problem scenarios and to apply them appropriately, including the need to work within the limits of their competence and the supervision which they need.
4. An ability to act honestly and with integrity, in accordance with legal and regulatory requirements and the SRA Handbook and Code of Conduct

9. **The intended generic learning outcomes**

On successfully completing the module students will be able to:

1. An ability to recognise ethical issues in the context of practical workplace scenarios and exercise effective judgment in addressing them.
2. An ability to critically evaluate arguments, assumptions, abstract concepts and data and to make appropriate ethical judgments in the light of this, resisting pressure to condone, ignore or commit unethical behaviour.
3. An ability to respect diversity and act fairly and inclusively.

10. **A synopsis of the curriculum**

The module is designed to enable the students to identify ethical issues as they arise in the context of practical legal problem situations and to apply the relevant ethical principles governing the conduct of solicitors to them.

In the course of studying the module, students will cover the following:

Outline syllabus:

Element 1 – The Principles

The requirements imposed on solicitors to:

1. uphold the rule of law and the proper administration of justice;
2. act with integrity;
3. not allow their independence to be compromised;
4. act in the best interests of each client;
5. provide a proper standard of service to their clients;
6. behave in a way that maintains the trust the public places in them and in the provision of legal services;
7. comply with their legal and regulatory obligations and deal with their regulators and ombudsmen in an open, timely and co-operative manner;
8. run their business or carry out their role in the business effectively and in accordance with proper governance and sound financial and risk management principles;
9. run their business or carry out their role in the business in a way that encourages equality of opportunity and respect for diversity;
10. protect client money and assets.

Element 2 - The Code of Conduct

Duties and responsibilities owed to clients:

1. Client care;
2. Equality and diversity;
3. Conflicts of interest;
4. Confidentiality and disclosure;
5. The client and the court; and
6. The client and introductions to third parties

Running of the business:

- The management of the solicitor's business;
- Publicity; and
- Fee sharing and referrals.
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Interacting with the Regulator

Duties to others:

- The solicitor's relations with third parties; and
- The provision of services by a solicitor through separate businesses.

Element 3 - Money Laundering

1. Legislation, including the international context; and
2. Situations where suspicion of money laundering should be reported.

Element 4 - Financial Services

1. The purpose and scope of financial services regulation;
2. The financial services regulatory framework and application to issues arising;
3. Identification of appropriate sources of information.

Key skills developed:

- Drafting
- Communication and Literacy
- File management
- Negotiation
- Numeracy
- Teamwork
- Managing and Developing Self
- Managing tasks and solving problems
- Computing and IT Skills

11. Reading List

All textbooks and practitioner materials will be updated annually. Textbooks will be held in the latest edition and older editions will be withdrawn.

	<ul style="list-style-type: none"> • Title, author, publisher
Core Text	<ul style="list-style-type: none"> • Skills for Lawyers, Elkington, A et al, Legal Practice Guides
Essential Reading	<ul style="list-style-type: none"> • SRA Code of Conduct [Online] http://www.sra.org.uk/solicitors/handbook/code/content.page Solicitors Regulation Authority
Recommended Reading	<ul style="list-style-type: none"> • Lawyers’ Skills, Webb, J et al, OUP • Foundations for the LPC, Firth, C et al, OUP • Legal Foundations, Bamford K et al, Legal Practice Guides

12. Learning and Teaching Methods

Learning and teaching takes place through four key activities. These comprise a blend of technical skills training, guided tasks assisting in self-directed research and study, practical application, and consolidation. Conceptually, the aim of the learning and teaching method is to mirror as closely as possible a trainee’s experience in a law firm, homing in on the ethical issues and dilemmas frequently encountered in practice.

Part A – Technical skills training

The trainee will receive a series of briefings on professional regulation from practitioners and other experts in the field (these may take the form of live or recorded webinars or lectures).

Part B – Self-directed research/Guided tasks

The supervising partner will guide the trainee via memoranda, e-mails and/or recorded voicemails into the relevant factual matrix that need to be researched. Crucially however, in neither the training nor the guided tasks will the ethical issues involved be highlighted to the student in advance. It will be up to the student to spot the ethical questions raised in the facts presented.

Part C – Seminar

The trainee will present their findings to the client and/or supervisor. New issues may arise from the presentation and or further client information being provided to change the dynamics of advice etc.

Section D – Consolidation

This may be in the form of independent reflection and reading / online student discussion forum / associated tutor dialogue (e.g. via email) as students absorb the issues raised in the briefings and seminars through the consolidation process.

The module will aim to ensure that the student has extensive practical experience of applying their knowledge of the SRA’s outcomes-focussed regulatory regime in practice.

Activity	Notional Hours of Study
Technical skills training	10

MODULE SPECIFICATION

Self-directed research / guided tasks	50
Seminars	20
Consolidation	10
Assessment preparation and completion	10
Total	100

13. Assessment methods

13.1 Main assessment methods

This module will be assessed in two ways:

Part A – a supervised examination of two hours' duration (75%);

Part B – within the assessments in the three core practice areas, in all of which 5% of the marks will be allocated to Professional Conduct and Regulation (15% overall).

The pass mark for the module is 50%. Students will be required to attempt both parts of this assessment. Since the learning outcomes tested by each part overlap (see further detail below) an overall pass of 50% will be sufficient to pass this module.

Rationale

This methodology reflects two key objectives: firstly, and most importantly, to assess that the learning outcomes set out above have been achieved by the students in a way which complies with the Legal Practice Course Assessment Regulations. Secondly, to align our assessment regime with that proposed by the Solicitors Regulation Authority for the new Solicitors Qualifying Exam.

The proposed assessment methodology, combining a transaction based examination with objective testing we feel achieves both of these goals.

13.2 Reassessment methods

MODULE SPECIFICATION

14. Map of Module learning outcomes (sections 8 & 9) to learning and teaching methods (section 12) and methods of assessment (section 13)

Module learning outcome		SS1	SS2	SS3	SS4	GTS1	GTS2	GTS3
Learning/teaching method	Hours allocate							
Technical skills training	10	X	X	X		X	X	X
Self-directed research / guided tasks	60	X	X	X	X	X	X	X
Seminar	20	X	X	X	X	X	X	X
Consolidation	10	X	X	X		X	X	
Assessment method								
Examination		X	X	X	X	X	X	X
Other areas		X		X	X	X		X

15. Inclusive module design

The Collaborative Partner recognises and has embedded the expectations of current disability equality legislation, and supports students with a declared disability or special educational need in its teaching. Within this module we will make reasonable adjustments wherever necessary, including additional or substitute materials, teaching modes or assessment methods for students who have declared and discussed their learning support needs. Arrangements for students with declared disabilities will be made on an individual basis, in consultation with the Collaborative Partner's disability/dyslexia support service, and specialist support will be provided where needed.

16. Campus(es) or Centre(s) where module will be delivered:

Pearson College London

17. Internationalisation

All the modules on the MLaw/LLB programme incorporate an international dimension wherever and whenever appropriate. This includes specific areas, such as EU statutory provisions in Contract and Employment Law and Human Right issues in Constitutional and Criminal Law, alongside an all pervasive discussion of the affects of international law on English Law as a whole. In addition to the formal incorporation of international jurisprudence within the programme, the students are actively encouraged to participate in the numerous opportunities the College offers involving comparative analysis within the business world including: guest speakers, industry workshops, alumni events, etc. Specifically, the MLaw/LLB programme provides a number of opportunities for all law students to participate in educational visits to various international institutions within the legal environment including the EU (in Strasbourg, Brussels and Luxembourg), the International Court of Justice in the Hague and the Nuremberg Trials Court House. These trips are heavily subsidised by the college to ensure affordability and maximum participation.

MODULE SPECIFICATION

18. **Partner College/Validated Institution:**
Pearson Business School, part of Pearson College London
19. **University School responsible for the programme:**
Kent Law School

FACULTIES SUPPORT OFFICE USE ONLY

Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.

Date approved	Major/minor revision	Start date of the delivery of revised version	Section revised	Impacts PLOs (Q6&7 cover sheet)