



Diploma in Local Government Law and Practice

Prospectus 2024-2025

Version June 2024



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1. About the Diploma

- 1.1. The Diploma in Local Government Law and Practice is a specialist Diploma course that aims to provide candidates with a valuable opportunity to expand their knowledge and competence in local government law, boost their career progression, and broaden their professional skills.
- 1.2. The Law Society understands the importance of a specific programme aimed at improving the competence and expertise of those practicing local government law. The Diploma not only represents a commitment to ongoing competence, but it also entitles holders to use the designation Dip L.G., indicating their specialised proficiency.
- 1.3. The object of the Diploma is to encourage the mastery of those principles of law, particularly local government law, which are essential for local government lawyers. Moreover, the course will study the problems of practice and administration which confront lawyers in local government. In the course candidates will be required to undertake three practical projects which will combine legal, administrative, and political issues, which will demand knowledge of organisational structure and procedures and raise problems of formulating, influencing, and implementing policy. These projects will take account of the special responsibilities of officers in local government in their relationships with elected members and with the public. At the end of the course there will be an online examination on local government law and practice. The course is relevant for all those practising in both England and Wales.
- 1.4. Additionally, the diploma places a stronger emphasis on local government finance, central-local government relations, councillor-officer dynamics, and practical issues in local government, going beyond the scope of traditional local government law courses.
- 1.5. The diploma course is administered by the Law Society of England and Wales who reserve the right to make changes to the Diploma from time to time.

2. Version

- 2.1. This version of the prospectus is applicable for the academic year 2024 - 2025 and replaces all previous versions of the prospectus.

3. Glossary of terms

Term	Definition
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Accreditation Office	The diploma course administrator at the Law Society.
Barrister	A barrister as regulated by the Bar Council.
Candidate	A candidate for the Diploma who has enrolled for the course under the Regulations.
Chartered Legal Executive	A Chartered Legal Executive is a lawyer who has followed one of the prescribed routes to qualification set out by the Chartered Institute of Legal Executives (CILEx)
Course	The Diploma in Local Government Law and Practice course, administered by the Law Society, leading to an award of the Diploma by the Law Society.
Examination	An online timed examination held on 11 June 2025.
Projects	The course projects required to be submitted by candidates. A written assessment of no more than 4,000 words.
Regulations	The Law Society's Diploma in Local Government Law and Practice Assessment and Award Regulations.
Society	The Law Society of England and Wales.
Solicitor	A solicitor as regulated by the Solicitors Regulation Authority.

4. Benefit and relevance of the course

- 4.1. The object of the diploma is to encourage the mastery of those principles of law, particularly local government law, which are essential for local government lawyers. The Local Government Diploma is a crucial stepping

stone for those seeking to enhance their career in the public sector. This one-year self-study course is designed to improve your knowledge of local government law and practice, demonstrating your commitment to the field. The diploma equips you with a high level of professional expertise and a broad range of managerial skills in the local government sector. It also opens up strong pathways for further studies and enhances your career opportunities.

4.2. Graduates of the course have told us that the course:

- raises awareness of current issues in local government law.
- fosters an understanding of corporate issues and specialised areas.
- provides an impetus for reading which has proved useful.
- gives an insight into areas of which you may not have experience.
- boosts self-confidence.
- stands as proof of ability, dedication, and commitment to local government work.
- makes you a better local government lawyer.

5. Regulations

5.1. The Diploma Assessment and Award Regulations can be found at Appendix D.

6. Eligibility and registration process

6.1. To be eligible to apply for enrolment on the Diploma, Applicants must be a solicitor, trainee solicitor, chartered legal executive or barrister and meet the following criteria:

- a. at least two years' practical experience in local government with a local authority as defined in section 270(1) of the Local Government Act 1972 (category 1).
- b. at least two years' practical experience at a public body or analogous agency or authority (category 2); or
- c. at least two years' practical experience in local government work in a law firm that carries out local government work and have gained sufficient knowledge, skills and expertise in the areas set out in the syllabus (category 3).

6.2. The two-year practical experience must be obtained as a solicitor, trainee solicitor, chartered legal executive or barrister. Experience gained prior to these roles will not be considered.

6.3. Where an applicant has limited experience of local government work, they may find the course challenging.

- 6.4. Once your application has been accepted, you will be required to sign up on Law Society Learning to proceed with payment and join the diploma.
- 6.5. Applicants who do not meet the eligibility requirements will have their application rejected.
- 6.6. Any Applicant who fails to submit a completed Application form by Friday, **26 July 2024** may have their application rejected.
- 6.7. The diploma does not have a limit on the number of places available for enrolment; however, candidates must meet the eligibility criteria to be accepted.

7. Diploma awarding requirements

- 7.1. Please note that the fact that you are eligible to enrol for the course does not mean that you are automatically eligible for the award of the Diploma. You must meet the following requirements:
 - a. Satisfactorily obtain the pass mark for the three projects; and
 - b. Obtain the pass mark for the examination.

8. Deferral requests

- 8.1. Where a candidate wishes to defer one or more projects and/or the examination from the course of the year of entry to the programme, the candidate must request such deferral in writing by email to the Accreditation office, stating the reasons for the request.
- 8.2. If the request is approved, the candidate will be permitted to defer the specified project(s) and/or examination to the following year of the programme. There is an administration fee for each deferral, set out in the fee schedule.
- 8.3. The Law Society will not refund any course fee where an application to defer is refused and candidates may only defer once.
- 8.4. Please note, once enrolled onto the course, should a candidate wish to transfer to the next year's diploma this will be treated as a deferral regardless of whether the first project has been issued.

9. The course

- 9.1. The course is a self-study diploma and those enrolling should expect to work in partnership with their employer to broaden their knowledge of the

topics contained in the syllabus and current changes in local government law and practice.

- 9.2. The course has two components:
- a. the submission of three written projects and,
 - b. an online examination.

10. Additional support during the course

- 10.1. Candidates may contact the Accreditations office at the Law Society for clarification on project questions. If necessary, your query may be referred to an Assessor for consideration.

11. Time needed for studying

- 11.1. Past graduates of the course have indicated that they, spent on average about seven hours a week on the course. This varies from person to person, and the time needed will increase in the weeks just before the Examination.
- 11.2. The Local Government Diploma is designed as a self-study program, where candidates are expected to independently gather, process, and retain the necessary knowledge to complete the course. While the Law Society provides the framework and a list of resources for the Diploma, candidates are responsible for their own learning and progress without direct assistance from the Law Society. This approach ensures that participants develop a deep, self-sufficient understanding of local government law and practice.

12. Projects

- 12.1. Candidates must complete three projects successfully during the 2024-2025 course. Each project will consist normally of one lengthy problem question. Specimen project questions can be found in the supporting document provided to candidates.
- 12.2. Candidates will be expected to undertake extensive research and reading over a period of about two months and to submit a paper of no more than 4,000 words on each project.
- 12.3. The submission dates for projects are:

	Project released to candidates	Project submission due	Project results
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			published
Project 1	2 September 2024	14 October 2024	16 December 2024
Project 2	9 December 2024	20 January 2025	10 March 2025
Project 3	4 February 2025	24 March 2025	12 May 2025

12.4. Candidate will receive feedback on their project. The aim of the feedback is to provide insight to the mark awarded.

12.5. If candidates do not complete the three projects satisfactorily or exceed the time allowed for submission, candidates may not be permitted to proceed to the Examination.

13. Examination

13.1. The examination will be held online on Law Society Learning on Wednesday, **11 June 2025**. An examination guide will be available to candidates for their own reference closer to the examination date.

13.2. There will be one examination paper. The examination will open at 10am and close at 5pm. This is a time envelop which sets out how long candidates have access to the exam. Candidates are not expected to use all seven hours for answering the exam paper. This time factors in reading, preparing answers and taking breaks. During this time, you will have the possibility of choosing six questions out of 12, review them and submit them before the time lapses.

13.3. Full joining instructions will be sent seven days prior to the examination.

13.4. A specimen examination paper can be found as supported document to provide you with a sample for preparation purposes only. The examination will be "open book". Candidates are permitted to have access to books or other written material, as well as online resources throughout the examination. The examination is not intended primarily as a memory test, although a good grasp of the subject matter of the course will be necessary.

13.5. There is no formal preparation or revision given to candidates ahead of the examination. Individuals are advised to employ their own study methods and resources to prepare for the test.

13.6. All candidates will be required to complete a declaration online prior to starting the examination confirming non-use of e-mail and social networking programs during the examination. Further, the declaration requires acknowledgment that the examination content is the property of the Law Society, subject to copyright and is being provided to candidates on a confidential basis for the purposes of the examination.

14. Examination arrangements

14.1. Please see the examination rules and arrangements at Appendix B.

14.2. Candidates are not required to complete an entry form for the examination; however, candidates must sign up to Law Society Learning.

14.3. Candidates must pass all three projects to be eligible for the examination. Candidates will be notified as to eligibility to sit the exam after the third project has been assessed.

14.4. Where a candidate has deferred a project, such candidate may still be eligible for the examination.

14.5. If a candidate has not received notification by Friday, **30 May 2025**, the candidate must contact the Accreditation office for assistance.

15. Marking scheme

15.1. The Diploma consists of three projects and a final online examination. To be awarded the Diploma in Local Government Law, a candidate must pass all the projects and examination to be eligible for the award.

15.2. To pass each project a candidate must achieve 45% or more. The examination's pass mark is 50% and above. Having completed all three projects and the examination, the overall mark of the Diploma is the average of all your marks combined.

15.3. There are three ways to achieve a distinction:

- a. 70% pass mark in the examination and 65% project average (where all have been completed in the same academic year).
- b. 70% project average and 65% pass mark in the examination (where all have been completed in the same year); or
- c. 70% overall average mark (where all projects and examination have been completed in the same academic year).

16. Special conditions

16.1. If a candidate has any special conditions relating either to the examination or the projects, the candidate must enclose full details of their needs with your application form, together with supporting medical or other evidence. The Accreditation office will contact you on receipt of the application and discuss what arrangements can be made for you.

17. Relationship of the examination and the projects

17.1. Candidates will not be permitted to sit the examination if they have not met the requirements.

17.2. A candidate who has not completed all three projects may still be able to take the examination provided a deferment has been granted.

18. Prizes

18.1. The Local Government Legal Society Trust will award a £250 prize to the best candidate from local government who achieves the highest mark.

18.2. The Law Society will additionally award a second candidate a prize of £150. If the first candidate is from private practice, the Law Society will cover both prizes.

19. Publication of the results

19.1. The final results will be published on or after Monday, **22 September 2025**. The results will be emailed to all candidates to the email address provided at enrolment.

20. Fees

20.1. The relevant fees are set out below. No further fee is payable for the awarding of the Diploma although a candidate who is required to re-sit the examination will be charged a fee for their re-sit.

	Fee	VAT	Total Cost
Course fee	£1895.00	£379	£2274.00

Project/Examination deferment fee	£113.00	£23.28	£136.28
Examination re-sit fee	£103.00	£20.60	£123.00
Project re-sit fee	£103.00	£20.60	£123.00
Extension fee	£103.00	£20.60	£123.60

21. Bursaries

21.1. If the local authority is unwilling to meet a candidate's fees, a candidate may apply to the Local Government Legal Society Trust Fund for a bursary. Current contact details are available from the Accreditation office.

21.2. Candidates should be aware that the fund will not meet the full cost of the course and that they will need to be prepared to self-fund to an extent.

22. Application and enrolment

22.1. The deadline for submission of the application form is Friday, **26 July 2024** at 5pm. No applications will be accepted after the submission date.

22.2. Full instructions on how to apply are provided in the application form.

22.3. The course starts on Monday, **2 September 2024**, which is also the date of the first project's release. Should any candidate enrol after the first project has been sent to candidates, no extra time will be provided.

23. Continuing competence

23.1. The Diploma can form part of a candidate's career development, whether as part of a structured learning and development plan supported by an employer, or to evidence expertise in the local government sector demonstrating continued competence to the relevant professional regulator. Past graduates have also used the Diploma to support applications for promotions or job applications.

24. Syllabus and reading list

- 24.1. The syllabus and reading list are set out in Appendix A.
- 24.2. The recommended reading indicates the range of reading thought necessary for a proper understanding of the content of the course. The object of a candidate's reading should be to give them a good all-round knowledge of local government law and practice. It is not intended for applicants to consult every book on the list.
- 24.3. All works listed may be available in your authority's library, a public library, local Law Society or the [Law Society's library](#). The Law Society does not guarantee to hold copies of the publications listed.
- 24.4. Candidates should begin preparing for the examination by reading works relevant to the syllabus and ensure that they prepare sufficient topics to answer at least six questions in the examination. Candidates will likely benefit from having access to reading materials throughout the examination.
- 24.5. Law reports of relevant cases may be found in the general series of law reports. Full texts of many cases are available free online. The [Law Society library](#) has access to a suite of legal databases and a comprehensive print collection
- 24.6. The nature of the examination questions may well be influenced by recent developments and candidates are strongly advised to keep up to date with recent cases, commission reports, practice guidance notes, articles in legal journals, and updates to loose-leaf services.

Suggested titles are as follows:

- Local Government Chronicle
- Municipal Journal
- New Law Journal

25. Sample documents

- 25.1. Sample documents will be available as separate documents.

26. Examination rules and arrangements

- 26.1. The examination will take place on Wednesday, **11 June 2025** from 10am to 5pm. The Examination Rules and Regulations have been set out in Appendix B.

26.2. The Procedure for dealing with allegations of cheating has been set out at Appendix C.

27. Assessment and Award Regulations

27.1. The Assessment and Award Regulations should be read in conjunction with the Examination rules and arrangements. The Assessment and Award Regulations are set out at Appendix D.

28. Guidance on projects

28.1. Candidates must review the Guidance on project preparation set out at Appendix E.

Appendix A – Syllabus and reading list

Level of ability and area

1. The structure of local government

- The current structure of local government.
- Proposals for change and the procedures by which change is affected.
- The role of the Electoral Commission or the Local.
- Democracy and Boundary Commission for Wales in respect of the areas and status of local authorities.
- Elections and the electoral system.
- The acquisition of powers with particular reference to local legislation.
- Community right to challenge.

2. The doctrine of ultra vires

- Application of the doctrine in respect of functions and procedures.
- Consequences which may flow from a breach of the ultra vires rules.
- The general power of competence under the Localism Act 2011 or the Local Government and Elections (Wales) Act 2021.

3. The administrative machinery of local authorities

- Constitution of councils, joint authorities, committees, sub - committees, working parties.
- Executive arrangements under Part IA or Part II of the Local Government Act 2000, as modified by the Localism Act 2011.
- Partnerships with public, private, community and voluntary sector agencies.
- The role of political groups.

4. The calling and conduct of meetings

- The decision-making process, including key decisions.
- Delegation.
- Ratification of decisions not the subject of delegation.
- Rights of the public in relation to meetings.

5. Duties as to the provision of information

- Freedom of Information Act 2000 and the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

6. The role of the Local Government Ombudsman and the Public Services Ombudsman for Wales.

7. Rights and duties of members of local authorities

- Including defamation, accountability, monetary payments, personal liability.
- The ethical framework under Part III of the Local Government Act 2000.
- New arrangements as to standards in England under the Localism Act 2011.
- The appointment, tenure, remuneration and accountability of officers.
- Pay accountability.
- Responsibilities of officers to the council and to the public.
- Political restrictions.
- The monitoring officers.
- Personal liability.

8. Local Enterprise Partnerships and co - operation between Authorities.
9. Enterprise Partnerships and co - operation between Authorities.
10. Land acquisitions
 - Powers, procedures, compensation.
 - Assets of community value.
11. By-law making powers
 - The making and validity of by-laws.
12. Local authority finance
 - Expenses and receipts, capital expenditure (including PFI, PPP), central control and finance, reserves, pensions.
 - Audit, including the responsibility and powers of auditors.
 - Codes of practice.
13. Local authorities and the courts
 - The nature and extent of judicial control.
 - Illegality.
 - Failure to exercise a discretion.
 - The abuse of discretion.
 - Legitimate expectations.
 - The application by the courts of the principles of natural justice to local authority decision-making.
 - The Public Sector Equality Duty.
 - Remedies, with particular reference to the process of judicial review.
 - The Human Rights Act 1998.
14. Legal proceedings by and against local authorities
 - In contract, tort or otherwise.

Recommended reading list

1. All topics

- Cross on Local Government Law (seven loose leaf releases a year), Stephen Bailey.
- Encyclopaedia of Local Government Law, Stephen Bailey.

2. Specialist works on aspects of Local Government law

- Knowles on Local Authority Meetings 8th ed., 2016, Philip McCourt.

3. Works on Judicial review

- De Smith's Judicial Review, 8th ed., 2018 with fourth supplement (November 2021), Lord Woolf et. al.
- De Smith's Principles of Judicial Review, 2nd ed., 2020, Catherine Donnelly and Ivan Hare QC.

4. Extracts of the leading cases on judicial review

- Administrative Law: Text and Materials 5th ed., 2016, M Elliott and J Varuhas.
- Cases, Material and Commentary on Administrative Law (5th ed, 2018), S H Bailey.

5. Extensive coverage of judicial review and some discussion of local government law

- Administrative Law, 9th ed., 2021, Paul Craig.

Online resources

[LexisNexis](#)

[Westlaw](#)

[vLex](#)

[Sweet & Maxwell](#)

[Government information](#)

[Senedd Cymru](#)

[Lyons Inquiry](#)

[BAILII](#)

[Legislation.gov.uk](https://www.legislation.gov.uk)

[Court of Appeal](#)

[Supreme Court](#)

[Adjudication Panel for Wales](#)

[Department of Education](#)

[Public Services Ombudsman for Wales](#)

[Information Commissioner's Office](#)

[Local Government Lawyer](#)

[Local Government & Social Care Ombudsman](#)

[Equality and Human Rights Commission](#)

Appendix B – Examination Rules and Regulations

1. Date and time of examination

The examination will take place on Wednesday, **11 June 2025 from 10am to 5pm.**

2. Entry for the examination

A candidate will not be allowed to sit the examination unless:

- a. The candidate has completed the projects and achieved the requisite marks.

If these conditions have been met, it will be assumed that the candidate will be taking the examination unless the Society has been notified to the contrary. All candidates will be informed by **30 May 2025** whether or not they are eligible to sit.

3. Examination conditions

The examination will take place online on Law Society Learning. Joining instructions will be sent to candidates seven days before the examination. Candidates must sit the examination in a room set aside for the purpose of taking the examination. No other person is to be present in the room at any time during the period of the examination. The room should be quiet with a working surface which gives space for the candidate's PC/Laptop and to use the books, papers etc which they are allowed to take into the room.

4. Materials in the examination room

Candidates may use books and other materials (including their own notes) during the examination. Candidates may have access online to materials and online sources but may not have access to or use any social media platforms, telephone, e-mail, or instant messaging.

5. Concerns with questions

If a candidate is uncertain about the facts or believe that there is an inaccuracy in the paper, the candidate should continue to answer the question(s) and explain the reason for their assumptions in the answer. Please note that if an error is found in the paper, this will be dealt with during the marking process and candidates will not be penalised.

6. Candidate Behaviour

Any threatening or abusive behaviour towards a member of the Law Society may result in a candidate being prevented from sitting examination. Such behaviour may also be reported to the Solicitors Regulation Authority (SRA) or any professional body of which the candidate is a member.

8. The Procedure for Dealing with Allegations of Cheating

- a. Any allegation of cheating shall be considered under the Procedure for Dealing with Allegations of Cheating, which can be found at Appendix C.
- b. If a candidate is found to have cheated in any examination, the candidate shall fail that examination. Further, where there is a finding of cheating such offence will be considered as part of awarding the Diploma.
- c. Any finding of cheating may be reported to the Solicitors Regulation Authority (SRA) or any professional body of which the candidate is a member.

9. Marking Process

- a. All the examination scripts are "blind marked" by the Assessors. Scripts are identified only by a candidate number.
- b. The performance of a candidate shall be assessed out of a maximum of 100 marks.
- c. A candidate who obtains 50 marks or over in the examination passes the examination.

- d. A candidate who obtains between 40 and 49% for the examination may be considered for awarding of the Diploma if on consideration of the marks of the projects and the examination, the candidate has reached an overall average of more than 50%.
- e. A candidate who obtains 70% or more for the examination will be eligible for a distinction where the candidate has obtained an average 65% for the project, where all the projects and the examination have been completed in the same academic year.
- f. A candidate who obtains 65% for the examination will be eligible for a distinction where the candidate has obtained an average of 70% for the projects, where all the projects and the examination have been completed in the same year.
- g. A candidate who obtains an overall average for the examination and the projects of 70% will be eligible for a distinction, where all projects and examination have been completed in the same academic year.
The Law Society has a discretion to allow a candidate who has submitted two satisfactory projects to take the examination and, subject to their having passed the examination, to complete the Diploma Course by submitting one further satisfactory project during the following course year.
- h. All examination papers will be first marked by the assessors. Papers that achieve between 40 - 51% will be second marked.
- i. Scripts may be subject to moderation.

10. Notification of Results

Examination results will be published to candidates on or after **22 September 2025**. If a candidate is unsuccessful, the candidate will need to re-sit the examination in the following academic year. There is a fee to re-sit the examination.

11. Diploma Award

Please be aware that passing the examination does not give a candidate the automatic award of the Diploma. See the eligibility criteria for the Diploma award.

12. Reasonable Adjustment Allowances

- a. Adjustments are normally only made where a candidate has can provided supporting medical evidence.
- b. The most frequent adjustment granted is that of additional time. In cases where it is considered that a candidate would benefit from extra time, this

would normally be at the rate of up to a maximum of 15 minutes per hour of the examination.

- c. If a candidate is taken ill during an examination but can continue after receiving treatment, they are required to notify the exam office so that arrangements can be made to complete the exam accordingly.

13. Disabilities/Reasonable Adjustment Application

- a. Should a candidate require reasonable adjustments, the candidate must notify the Accreditations Office at least ten working days prior to the examination by emailing the Accreditations Office at LGD@LawSociety.org.uk.
- b. The request should be accompanied by an appropriate medical certificate or psychological/needs assessment. The certificate must not be older than 12 months and should refer to the nature and degree of the condition and recommendations as to its management during the examinations, if appropriate. It is within the discretion of the Accreditations office to accept medical evidence that is older than 12 months.
- c. In the case of accidental injuries or acute illness, or if a candidate's disability is diagnosed after booking, for example, a broken limb which happens a short time before the examination, a candidate is required to contact the Accreditations office at LGD@LawSociety.org.uk as soon as possible. Each request should be accompanied by a medical certificate indicating the nature of the injury or illness and recommendations as to how this should be managed during the examination.
- d. The Law Society reserves the right to cancel or refuse entry to the examination where insufficient notice has been given to make the reasonable adjustments required.
- e. Failure to notify the Accreditations Office about a disability prior to the examination taking place cannot be considered as a mitigating factor nor can reasonable adjustments be made once the examination has taken place.

14. Mitigating/Extenuating Circumstances

Please note that by sitting the examination a candidate certifies that on the day of the examination the candidate can undertake it.

15. Complaints

- a. Any complaint relating to the examination process, must be lodged in writing within seven calendar days of the examination.

- b. The complaint must be emailed to LGD@LawSociety.org.uk. Any complaint received outside of the seven calendar days will not, under any circumstances, be considered. The Accreditation office may refer a complaint an assessor for consideration.

16. Appeals

- a. Where a candidate fails a project or the examination, a candidate may not appeal a decision as it is an academic judgement.
- b. A candidate may appeal where they have failed an examination or project where they allege the question(s) did not form part of the syllabus; or where there has been a finding of cheating; or where a penalty has been imposed for cheating (whether admitted or proven).
- c. Any appeal must be made to the Accreditation office in writing within 28 calendar days of notification of the decision of the Society to the candidate. The application for reconsideration must include:
 - (i) Details of the nature of the appeal; and
 - (ii) Full details of the circumstances to be considered.
- d. On receipt of the appeal, the Law Society will review any submissions made and where the Law Society persists with the decision, the appeal will be submitted to the Chief Assessor for consideration. The Law Society or the Chief Assessor, may require the candidate to supply such further details and supporting evidence as they may consider relevant before considering the candidate's appeal.
- e. In considering any application by a candidate under these examination rules, the Society, or Assessors may have regard to the candidate's performance in the Society's Diploma in Local Government Law and Practice assessment and award regulations projects, representations made by the candidate, recommendations made by the Assessors, and all other relevant circumstances.
- f. An appeal fee of £258 plus VAT is payable for all appeals.
- g. Once an appeal has been received, an invoice will be sent to the candidate for the appeal fee.
- h. Once the outcome of the appeal has been reached the Accreditations Office will, where practicable, notify you in writing of the outcome within seven working days. Payment of the application fee needs to be made prior to the outcome being released.

17. Individual Feedback

Candidates do not receive individual feedback on their examination mark and answers. Individual feedback is limited to the projects.

18. Privacy

Please see our website for further information.

19. Correspondence from Third Parties

Where the Law Society receives correspondence from third parties about a candidate's examination results e.g., an employer/supervisor, the Accreditations office will not respond to the third party unless the request is accompanied by a signed letter from the candidate authorising the Law Society to deal with the third party.

20. Provision of Examination Scripts

We will not under any circumstances release examination scripts or marksheets. This policy is in accordance with the exemptions provided by the Data Protection Act 2018.

Appendix C – The Procedure for dealing with allegations of cheating

1. Introduction

- a. The Society takes the integrity of the examination process seriously. It is fundamentally important that candidates are assessed fairly and on equal terms with each other for the same award. Any attempt by a candidate to gain unfair advantage over another candidate in the completion of examination, or to assist someone else to gain an unfair advantage, is considered cheating.
- b. Alleged academic dishonesty, which threatens the integrity of the examination procedures and the maintenance of its academic standards, is viewed as a serious offence, and will be thoroughly investigated.
- c. Cheating is both an academic and a professional offence. Certain professional bodies place upon candidates, registered for a programme to which they give professional recognition, an obligation to adhere to principles or standards of professional conduct. Where we are of the opinion that the offence has a bearing on the candidate's character and suitability to be a solicitor, or the employee of a solicitor, we will report the offence to the SRA or any other professional body to which the candidate belongs.

- d. We will investigate all allegations of cheating in accordance with the procedure set out herein and where the offence is admitted or proved will impose appropriate penalties.

2. Definitions and examples of cheating

- a. A candidate who obtains or attempts to obtain an advantage in an examination through unfair or improper means is guilty of cheating.
- b. The following are indicative examples of cheating, but the offence is not limited to the examples given below:
 - Copying, stealing, appropriation or use of the work of another.
 - Permitting or assisting another to copy, appropriate or use one's own work.
 - The use of a mobile telephone during the examination.
 - Being party to impersonation where another person sits an examination in the place of the actual candidate, or a candidate is knowingly impersonated by another.
 - The submission of a piece of work which has previously been assessed for a different award or examination or at a different institution as if it were new work.
 - Using, attempting to use, assisting another to use or attempting to assist another to use any other unfair, improper, or dishonest method to gain advantage in any part of the formal examination process.
 - Obtaining an unseen examination in advance of the examination.
 - Paying or offering inducements to another person to obtain an advance copy of an unseen examination.
 - Commissioning another person to complete an examination which is then submitted as the candidate's own work.
 - The use of the material of another person as if it were the candidate's own.
 - The inclusion of material in an examination which is identical or similar to material which has already been submitted for any other examination.

- Making false declarations to receive special consideration by the Accreditations Office.
 - The presentation of information in examinations based on work purported to have been carried out by the candidate which has been invented by the candidate or altered or copied or obtained by other unfair means.
 - Falsifying information.
 - Collusion i.e., presenting joint work as the work of one candidate, including giving a false certificate that the work is the candidate's own unaided work.
 - Plagiarism i.e., where the published work or ideas of another person are presented as a candidate's own.
 - Presenting or submitting work that is not the candidate's own unaided work.
 - Breaching the terms of the declaration.
- c. The above list is not exhaustive and should not be interpreted as such by candidates.
- d. The intention to deceive is not an essential element of the offence but may be relevant to the penalty imposed when an allegation of cheating is admitted or proved.
- e. A marker or other official shall report without delay his or her suspicions of cheating or misconduct, together with any relevant evidence, to the Accreditations Office.
- f. Pending an enquiry by or on behalf of the Accreditations Office into any allegation of cheating by a candidate, the candidate's examination result may be withheld.
- g. Candidates should be aware of the seriousness with which proven cases of cheating will be dealt and the likely penalties which may be imposed.
- h. A lack of awareness or understanding of these regulations will not constitute a defence to an allegation of cheating.
- i. Penalties for cheating include:
- A warning.

- A reduction of any mark awarded for the part of the formal examination process in question.
 - A reduction of total marks awarded.
 - Treating the candidate as having failed the part of the formal examination process in question.
 - Treating the candidate as having failed to attend or having failed to submit work for the part of the formal examination process in question.
 - Refusing to award the relevant Diploma.
 - Requiring the candidate to withdraw from the examination.
 - Refusing the candidate any entitlement to any re-examination.
 - Such other penalty as may be appropriate in the circumstances.
- j. In deciding the appropriate penalty, the following will be considered:
- Whether there was an intention to deceive rather than incompetence, carelessness, or failure to appreciate the examination requirements.
 - The advantage which could have been gained by the offence.
 - Whether the candidate has admitted the offence and shown remorse.

3. Procedures for dealing with suspected cases of cheating

- a. Where cheating is suspected, the examination in question should be marked as though cheating is not suspected.
- b. The Accreditations office will review the script or conduct in question to assess the extent and nature of the alleged offence and determine whether there is a case to answer.
- c. Where there is a decision that there is a case to answer, the candidate will be provided with such decision in writing and be provided with the opportunity to respond to such allegation in writing or by way of video interview.
- d. Where a candidate elects to respond by way of video interview, the candidate may be accompanied by a friend or representative. The Interview will be recorded, and the recording made available in any later proceedings.

- e. Following the interview or receipt of written submissions, the Accreditations Office will consider the matter and reach a decision as to whether cheating has been proven applying the civil standard of proof (the balance of probabilities). The Accreditations Office will notify the candidate of the decision. If the cheating offence is proven, then the Accreditations Office will decide on the appropriate penalty and notify the candidate in writing.
- f. Where a candidate fails to provide written submissions or attend a video interview without satisfactory mitigating or extenuating circumstances, they will be deemed to admit the allegation(s).
- g. Where a candidate admits that they have committed a cheating offence the candidate should be asked to put their admission in writing. The candidate should then be asked to sign an acknowledgement confirming that they have been advised of the possible penalties that may be imposed. The candidate should be invited to attach to their admission a statement of any circumstances that they wish to be taken into account when the appropriate penalty is considered.
- h. The Accreditations Office will consider the admission and decide on the appropriate penalty and notify the candidate in writing. A candidate may appeal the finding or penalty in line with the Appeals Policy.

Appendix D - Assessment and Award Regulations

1. Assessment process

- a. Candidates will be assessed by the submission of three projects and an online examination.
- b. The examination date and the project submission dates are publicised in the course prospectus prior to the start of the course.
- c. To be eligible to sit the examination, the candidate must reach an average of at least 50% of the marks available over the three projects and with no project having scored less than 45%.

2. Projects

- a. Each project will be subject to a word limit of 4000 words.
- b. The word limit will be set out in the instructions to candidates issued by the Society in relation to each assessment.
- c. There will be a tolerance of 200 words either way on the word limit.
- d. Candidates must type their projects.

- e. Candidates must submit their projects by email in the form of a pdf file attachment to LGD@LawSociety.org.uk by **11:45pm** on the day of the project deadline. Projects cannot be submitted by post unless it has been agreed as a reasonable adjustment.
- f. A candidate passes a project by obtaining not less than 45 marks.
- g. Any extension to the submission date must be agreed in advance by contacting the accreditation office who will consider the request.
- h. Extensions are only granted in genuinely exceptional circumstances. A candidate is required to pay a fee for the extension.
- i. Subject to Regulations, any candidate submitting a project after the due date without an agreed extension will not have that project marked and will receive a mark of zero.
- j. Where a candidate fails to submit a project script by the specified time, the Society may, if satisfied that the late delivery was caused by illness or other valid cause:
 - allow the candidate to submit the project late; or
 - recommend that the candidate be allowed to submit a project during the following course year.
- k. The decision of the Society is final regarding late delivery of projects.
- l. It is not possible to submit a project at any other time than the publicised submission dates.

3. Examination

- a. Candidates will be notified of their eligibility to sit the examination by the Society no later than three weeks before the date of the examination.
- b. Candidates are required to sign up to Law Society Learning to undertake the online examination.
- c. The performance of a candidate shall be assessed out of a maximum of 100 marks.
- d. Candidates must comply with such instructions governing the conduct of the examination as the Society may publish from time to time.

4. Re-sits.

- a. Projects: Candidates who submit a project which is marked below 45% and wish to complete their diploma studies will be required to submit a further satisfactory project during the following year's course provided a re-sit fee is paid.
- b. Candidates who submit three projects, the average mark for which is below 50 will also be required to submit a further satisfactory project during the following year's course.
- c. Examination: The Society may permit a candidate to re-sit the examination at the next examination date provided a re-sit fee is paid.
- d. There is no intermediate or re-sit examination and the only opportunity for a candidate to sit the examination will be on the specified date in June annually. By giving leave to re-sit, the Society will expect a candidate to re-sit the examination at the next sitting in the following June.

Appendix E – Guidance on Project Preparation

1. The three projects of the diploma course together cover a wide range of legal issues. The questions may be general and discursive or highly technical and problem based. Each project should be approximately 4,000 words in length, including footnotes/references (there is a tolerance of approximately 200 words. Candidates will have marks deducted for exceeding this). Candidate project script must be typed. The word limit does not include the bibliography.
 - 1.1. Projects must be submitted no later than the submission date given unless an extension has been granted.
 - 1.2. Any extension to the submission date must be agreed in advance of the deadline day and the extension fee must be paid. Extensions are only granted in genuinely exceptional circumstances. The maximum extension that can be granted is 14 days from the submission date. If a candidate submits their project after the due date without an agreed extension, it is likely that the project will not be marked. All candidates are provided with the same project. There is no choice of projects.
 - 1.3. It is suggested that candidates begin by reading the question carefully. The projects are intended to test not just legal knowledge but the application of legal knowledge to a particular scenario or set of facts. Candidates are required to establish the relevant facts and the areas of law to be covered. Candidates must make sure that they answer the question and cover all the issues raised. The framework of the answer should normally follow the structure of the question. The analysis of the facts should help a candidate decide which areas of law are involved; this in turn helps focus the research.
 - 1.4. Due to the restricted word count, candidates do not need to include lengthy introductions and conclusions. Long introductions and conclusions do not attract

many marks. The word count should be focussed on the substantive part of the project.

- 1.5. Candidates will be expected to undertake detailed research for the projects, particularly if the project is concerned with an area of law with which the candidate is unfamiliar. Candidates who undertook substantial research tended to score higher in projects.
- 1.6. It is important to remember that although the project may require a candidate to draft, for example, a briefing paper for a non-legally qualified person, and in a style appropriate to that reader, the project is an assessment for a diploma. The candidate must therefore adapt an academic style to their project, including the appropriate caselaw, statutory and guidance references and argue their points in a legal manner, even if this is not what a candidate would do if they were giving the same piece of advice in their workplace.
- 1.7. Before a candidate begins writing the project, Candidates should re-read the project question. The candidate's research may have raised new issues, and the candidate may have new thoughts on the question.
- 1.8. First Draft: When drafting the project answer, candidates should avoid including long quotations. The project is designed to allow a candidate to demonstrate their understanding of the law and its application to the facts as known. If the candidate's advice or conclusion is dependent upon a fact that is not given, argue it either way. Candidates are not required to make up the facts. The project has all the facts required. Should a candidate be of the view that further facts are required, a candidate can merely set out what information they would need and answer the question as fully as they can. On each part of the question, the candidate should be providing clear advice.
- 1.9. After the candidate has written their first draft, the candidate should make sure the balance of the project is right where there are several questions. In some projects, the weight given to different questions may vary. If the candidate is asked, for example, to give 'brief advice', this is an indication that this question requires a briefer answer than other sections of the project and will attract fewer marks under the marking scheme.
- 1.10. Candidates should make sure that they have the correct statutory references, caselaw references and quotations. If the candidate's research has included reference to government guidance on particular legislation, candidates should make sure that they have also looked at the primary and secondary legislation to which the guidance refers, and that it is cited in the project.
- 1.11. Candidates should be mindful that they are referencing current law. For example, Candidates will be able to find guidance or circulars that have been replaced and statutes in their original, un-amended, form. Candidates must ensure that their sources are up to date.

- 1.12. Finally, candidates should check again to make sure that they have answered all parts of the question.
 - 1.13. Candidates who use more references tend to attract higher marks. A guide to good referencing is 60 - 80.
 - 1.14. Candidates must reference sources used. Failure to reference will result in a candidate achieving a lower mark.
 - 1.15. Candidates must be careful to not identify themselves in their project answers.
2. Finalising your project
 - 2.1. When candidates work on their final draft, candidates should ensure that they are clear and concise about the points that you are making. Candidates must review their projects for spelling and grammatical errors. Candidates must check that they are within the word limit. Where a candidate's project is significantly under the word limit, it would be advisable to review the question and the level research as the candidate may have missed something or failed to cover a point in sufficient depth. The marking scheme is based on the candidate using the full word count to address the project question.
 - 2.2. The project questions are not designed to trick a candidate but equally they are not intended to be answered superficially. The project question can be quite complicated, covering several legal issues. Candidates should therefore allow sufficient time to research and prepare each project. It is recommended that if a candidate has time, they should put the project aside for a week and then re-read it before submitting.

Administrative Procedures

Please note that these procedures must be adhered to, or the project may not be submitted for marking.

1. All projects must be submitted by email to LGD@LawSociety.org.uk by **11:45pm** on the day of the deadline.
2. A front sheet must be completed and submitted with project. If the front sheet is incorrect, it will be sent back to the candidate, and the candidate will have until the deadline expires to re-submit this. The Accreditation office will not accept a candidate's submission after the deadline has passed where no extension has been granted. The submission includes the front sheet.
3. The candidate number must be on all pages of your project. It is recommended that this is put in the header or footer of the project. This is to ensure that the project can be easily identified.

4. The candidate must not include their name on the front sheet or project.
5. If the candidate is submitting a bibliography in a separate document, the candidate number must also be on this, and it must not include the candidate's name.