

# SQA Advanced Unit Specification

## General information

<b>Unit title:</b>	Business Law: An Introduction
<b>Unit code:</b>	J5AW 47
<b>Superclass:</b>	EC
<b>Publication date:</b>	May 2021
<b>Source:</b>	Scottish Qualifications Authority
<b>Version:</b>	03 (September 2023)

## Unit purpose

This unit is designed to introduce the learner to several aspects of law that they may encounter in a commercial environment. The unit must introduce Scottish law to the learner and differentiate the powers of Holyrood and Westminster. It explores the different legal entities of business, contract law, and key features of the laws surrounding employment and the consumer. The unit is primarily intended for learners who require a general awareness of legal matters in a business context and on successful completion is not intended to render students competent to apply the law unaided.

## Outcomes

On successful completion of the unit the learner will be able to:

- 1 outline the significance of three areas of law affecting business today
- 2 explain the law of contract
- 3 compare and contrast the legal characteristics of the various types of business organisations

## Credit points and level

1 SQA unit credits at SCQF level 7: (8 SCQF credit points at SCQF level 7).

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### Recommended entry to the unit

Entry to this unit is at the discretion of the centre. However, it would be beneficial if learners possess good communication skills. These may be demonstrated by the achievement of the Core Skill Communication SCQF level 6, or Higher English or equivalent.

### Core Skills

Achievement of this unit gives automatic certification of the following:

Core Skill component                      Critical Thinking at SCQF level 6

There are also opportunities to develop aspects of Core Skills which are highlighted in the **support notes** section of this unit specification.

### Context for delivery

If this unit is delivered as part of a group award, it is recommended that it should be taught and assessed within the subject area of the group award to which it contributes.

The assessment support pack (ASP) for this unit provides assessment and marking guidelines that exemplify the national standard for achievement. It is a valid, reliable and practicable assessment. Centres wishing to develop their own assessments should refer to the ASP to ensure a comparable standard. A list of existing ASPs is available to download from SQA's website (<https://www.sqa.org.uk/sqa/90557.9291.html>).

### Equality and inclusion

This unit specification has been designed to ensure that there are no unnecessary barriers to learning or assessment. The individual needs of learners should be taken into account when planning learning experiences, selecting assessment methods, or considering alternative evidence.

Further advice can be found on our website [www.sqa.org.uk/assessmentarrangements](http://www.sqa.org.uk/assessmentarrangements).

### Statement of standards

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Acceptable performance in this unit will be the satisfactory achievement of the standards set out in this part of the unit specification. All sections of the statement of standards are mandatory and cannot be altered without reference to SQA.

Where evidence for outcomes is assessed on a sample basis, the whole of the content listed in the knowledge and/or skills section must be taught and available for assessment. Learners should not know in advance the items on which they will be assessed and different items should be sampled on each assessment occasion.

#### Outcome 1

Outline three areas of law affecting business today.

##### Knowledge and/or skills

- ◆ Consumer law
- ◆ Employment law
- ◆ Data Protection legislation

#### Outcome 2

Explain the law of contract.

##### Knowledge and/or skills

- ◆ Creation of a contract
- ◆ Defective contracts
- ◆ Misrepresentation
- ◆ Breach of contract

#### Outcome 3

Compare and contrast the legal characteristics of the various types of business organisations.

##### Knowledge and/or skills

- ◆ Sole traders and partnerships
- ◆ Private limited companies
- ◆ Public limited companies
- ◆ Third sector

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### Evidence requirements for this unit

#### Outcome 1

Learners will need to provide evidence to demonstrate their knowledge and/or skills by showing that they can:

- ◆ explain the purpose of current legislation
- ◆ outline the key areas each piece of legislation covers
- ◆ identify any pending significant alterations to these current pieces of legislation
- ◆ explain two pieces of legislation in greater detail

#### Outcome 2

Learners will need to provide evidence to demonstrate their knowledge and/or skills by showing that they can:

- ◆ identify and describe the essential elements of a contract
- ◆ explain the processes of contract formation
- ◆ explain illegality and misrepresentation as they relate to a contract
- ◆ identify and explain two types of breach of contract
- ◆ identify remedies for breach of contract
- ◆ explain appropriate termination of a contract

#### Outcome 3

Learners will need to provide evidence to demonstrate their knowledge and/or skills by showing that they can:

- ◆ identify liability
- ◆ identify the key characteristics of each entity
- ◆ compare the advantages and disadvantages of at least three entities
- ◆ identify legal responsibilities for parties within these three entities
- ◆ explain the legal responsibilities of owners within three entities — where they exist

### Support notes

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Unit support notes are offered as guidance and are not mandatory.

While the exact time allocated to this unit is at the discretion of the centre, the notional design length is 40 hours.

#### **Guidance on the content and context for this unit**

If this unit is delivered as part of a group award, it is recommended that it should be taught and assessed within the subject area of the group award to which it contributes.

#### **Guidance on approaches to the delivery of this unit**

This unit is designed to give learners a practical insight into aspects of Scottish Law, that they are most likely to encounter in the commercial environment. It introduces learners to the legalities around establishing a business and contract, consumer and employment law. It is not designed to render successful learners competent to practise or advise in these areas.

This unit is mandatory within SQA Advanced Certificate and Diploma in Business art of other group awards and may be delivered as a stand-alone unit.

Whilst this unit focuses on the law as practised in Scotland, both employment law and consumer law are UK wide pieces of legislation.

Learners should be provided with an introduction to the Scottish legal system and given an understanding of the balance of power between Holyrood and Westminster. This provides a context for the learning outcomes and does not require to be assessed.

It is recommended that this unit is delivered through a combination of lectures, class discussion, group tasks and simulations. It is also recommended that learners are encouraged to use authoritative texts and journals and to use appropriate websites for directed research. The learner should be able to understand the application of the law in given situations rather than simply an ability to memorise it, therefore teaching should concentrate on the practical application of the law. Relevant legislation is always changing and teaching and assessment should take into account the most up to date legislation and precedent. Up-to-date examples are important in teaching this unit and learners may be encouraged to research current case law to use as examples to illustrate and explain legislation. The unit may be taught by using reported cases from current law journals and other relevant sources. Likewise, learners may be encouraged to gather information from similar sources, eg the internet, journals and newspapers. These sources could also be used to drive group discussion in the classroom environment.

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### Guidance on approaches to assessment of this unit

Evidence can be generated using different types of assessment. The following are suggestions only. There may be other methods that would be more suitable to learners.

Centres are reminded that prior verification of centre-devised assessments would help to ensure that the national standard is being met. Where learners experience a range of assessment methods, this helps them to develop different skills that should be transferable to work or further and higher education.

To offer a balanced approach to assessment that reflects our different learners, it is suggested that Outcome 1 uses an open-book approach which could require the learner to develop a series of information posters, leaflets, podcasts or videos. Outcome 2 may be assessed by responses to a series of small case studies. Assessment of this outcome should be supervised but open-book. Outcome 3 should also be an open-book activity. It is suggested learners deliver a presentation (live or recorded) demonstrating their understanding of legal entities. This approach will allow learners to demonstrate their ability to retain knowledge, and also their ability to present learning and research in a flexible and transferrable manner appropriate to the demands of early-career environments.

### Opportunities for e-assessment

E-assessment may be appropriate for some assessments in this unit. By e-assessment, we mean assessment which is supported by information and communication technology, such as e-testing or the use of e-portfolios or social software. Centres wishing to use e-assessment must ensure that the national standard is applied to all learner evidence and that conditions of assessment — as specified in the evidence requirements — are met, regardless of the mode of gathering evidence. The most up-to-date guidance on the use of e-assessment to support SQA's qualifications is available at: [www.sqa.org.uk/e-assessment](http://www.sqa.org.uk/e-assessment).

Centres are reminded that prior verification of centre-devised assessments would help to ensure that the national standard is being met. Where learners experience a range of assessment methods, this helps them to develop different skills that should be transferable to work or further and higher education.

### Opportunities for developing Core and other essential skills

Throughout the unit, learners should be able to develop the Core Skill of *Communication* at SCQF level 6 by reading, evaluating and understanding written communication of different types, and should be producing written documents that convey a range of information and ideas on legal matters. Through group discussion, learners could have the opportunity to communicate orally to individuals and groups by presenting ideas and complex information to others, and listening to and understanding others' responses. Learners may also be able to develop the Core Skill component of Critical Thinking at SCQF level 6 by analysing legal issues and devising and recommending appropriate solutions. Learners may be able to develop the Core Skill of *Information and Communication Technology* at SCQF level 5 through carrying out a range of ICT activities, such as internet searches and word processing in the course of any research.

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The Critical Thinking component of Problem Solving at SCQF level 6 is embedded in this unit. When a learner achieves the unit, their Core Skills profile will also be updated to include this component.

## History of changes to unit

Version	Description of change	Date
03	<b>Outcome 1</b> changed from "the significance of 4 (four) areas of law" to 3 (three) areas	27/02/23
02	Correction of unit credit value on p1 from 2 SQA credits to 1 SQA credit	6/7/22

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SQA acknowledges the valuable contribution that Scotland's colleges have made to the development of SQA Advanced Qualifications.

### Further information

Call SQA's Customer Contact Centre on 44 (0) 141 500 5030 or 0345 279 1000.  
Alternatively, complete our [Centre Feedback Form](#).



### General information for learners

**Unit title:** Business Law: An Introduction

This section will help you to decide whether this is the unit for you by explaining: what the unit is about; what you should know or be able to do before you start; what you will need to do during the unit; and opportunities for further learning and employment.

This unit is designed to help you understand some of the areas of the law that you will encounter within the business environment. Firstly, it will help you understand the difference between the law in Scotland and the rest of the UK and why that matters.

You will also learn about:

- ◆ consumer law, employment law and data protection laws
- ◆ what makes contracts legal and what happens when those agreements fail
- ◆ the different legal frameworks that UK businesses can choose to operate within
- ◆ charities, community groups and social enterprises

You will be assessed through a combination of open and closed-book activities. During your studies you will use reported cases from current law journals and other relevant sources which will continue to be useful to you within your career. You will also be encouraged to gather information from various sources, eg the internet, journals and newspapers. Where possible, discussion and debate will take place to help bring your learning into context.

Successfully completing this unit will not make you competent to practise contract, employment or consumer law. On completion, you will understand the considerations businesses must take to protect their reputation, their ability to be successful, their employees and their customers and be aware of when support from specialist practitioners is advisable.

You may have the opportunity to develop Core Skills in *Communication* and *Problem Solving* at SCQF level 6, and *Information and Communication Technology* at SCQF level 5.

The Critical Thinking component of *Problem Solving* at SCQF level 6 is embedded in this unit. When a learner achieves the unit, their Core Skills profile will also be updated to include this component.