

LEVEL 7 ASSESSMENT SPECIFICATION

Student name:		Student ID number:	
Programme:	Postgraduate Diploma/MA in Human Resource Management		
Module:	Employment Law		
Module code:	BMHR7003	Contribution to Overall Module Assessment (%):	100%
Lecturer:	Richard Thomas Capital Law	Internal Verifier:	Julie Thomas
Assignment Title:	HRM Issues at Big Buses Limited	Word count (or equivalent):	4500 words
Submission deadline:	10 th May 2021	Return date of provisional marks & written feedback:	4 th June 2021
Submission method:	All written assessments, where practical and possible, must be submitted via Turnitin unless otherwise instructed by the Lecturer. (Please DO NOT put this assessment specification into Turnitin or it will match many similarities with other students' submissions.) Alternative submission method (if applicable): Late submission of the assessment will result in a late penalty mark. Penalties for late submission: Up to one week late, maximum mark of 50%. Over one week late, 0%. Only the Extenuating Circumstances Panel may approve a change to submission dates.		
Academic honesty / referencing:	Academic honesty is required. In the main body of your submission you must give credit to authors on whose research and ideas your work is based. Append to your submission a reference list that indicates the books, articles, etc. that you have used, cited or quoted in order to complete this assessment.		

Module Learning Outcomes (from module syllabus)

On completion of this module learners will be able to:

- Explain the core principles that underpin employment law as it applies in the UK (or Ireland), including common law, their purpose, origin and practical implications.
- Advise colleagues about significant legal implications of decisions, plans or proposals in the employment field.
- Advise about the appropriate action that should be taken in workplace scenarios where employment regulation applies.
- Play a leading role in determining the appropriate organisational response when legal action on the part of a worker or employee is anticipated, threatened or taken.
- Participate in the preparation, presentation and settling of employment tribunal cases.
- Know how to keep their knowledge of developments in employment law up to date and advise about the impact of these developments on employment policy and practice in their organisations.

TASK DESCRIPTION

For the purposes of this assessment, you are an HR Advisor who has been asked to provide advice to Big Buses Limited. Please note that the business name Big Buses Limited and all names used in the assignment scenario are fictitious and have been created for the purposes of this assessment.

This assessment is divided into 2 sections: A and B. Section A is worth 60% of the final mark and Section B is worth 40%.

SECTION A (60% of final mark)

Big Buses Limited runs a Bus rental and sales business in Bristol supplying bus services to schools in the Bristol area. The owner and Managing Director, Mr Dave Thomas, received a letter from the Employment Tribunal dated **6 December 2020** with a claim form (ET1) enclosed.

Note - Prior to making the claim, the claimant completed an early conciliation form and sent it to ACAS. The early conciliation process did not resolve the matter and the claimant was issued with an early conciliation certificate.

Several documents, including an extract from the ET1, are provided for you to read. Once you have read and considered the documents, please answer the following questions:

1. Advise the Managing Director of Big Buses Limited how and when the company should respond to the claim by Gethin Rees. Include an explanation of the claim(s) which Gethin Rees might have against Big Buses Limited. Your memo should include:
 - The process and timescales for responding to the ET1
 - details of the ground(s) of any claim(s) being brought
 - defences to the claim(s) that are available
 - relevant legal principles and cases in support of your advice
 - an assessment of the strengths and weaknesses of the claim

2. List and explain the possible remedies which could ensue if this matter went to a final Employment Tribunal hearing in which Mr Rees was in whole or in part successful in the claim(s) set out on his ET1 claim form. You should include in this answer:
 - the types of remedies available to a tribunal and the factors that it will look at when considering these remedies;
 - the amount of any financial award, including a calculation of the basic award;
 - any factors that might reduce or increase the level of any financial award made by the tribunal and how they are likely to be applied; and
 - whether or not you would recommend settling the case rather than proceeding to a tribunal, giving reasons for your answer.

SECTION B (40% of final mark)

The Managing Director of Big Buses Limited has sent you the following email seeking advice in relation to a number of matters involving employment law.

Dear HR Consultant

I would welcome your advice on the following:

1. Julie Davies

I have a small, combined Admin/Finance team consisting of six members of staff. They are based in the administration office in Bristol and deal with the paperwork and finances for the Bus repairs, rentals and sales. Julie Davies works in that team and deals with the company's day-to-day accounts. She is employed on a full-time contract and works 9.30 am – 5 pm Monday to Friday (with half an hour for lunch) and has been working for the company for nineteen months.

At the onset of the COVID pandemic and the lockdown in March I agreed that all the administrative staff could work from home on a temporary basis. This lasted until August and once the lockdown rules eased in August I requested that all administrative staff come back to work at the office in Bristol and they all did so (apart from Lucy Bell – please see below).

However last week I received an email from Julie asking for if she could now work from home on Mondays and Fridays and also change her hours of work to 8 am – 3 pm (without a lunch break) so that she can pick up her children from school and care for her elderly mother who is shielding. I have not received any other requests for working from home and changing working hours before and I don't know how to respond.

If she works from home on Mondays and Fridays she will not have the interaction with the rest of the team that she needs in order to do her job properly. Also, if she starts work at 8 am she will be working unsupervised for an hour as the Finance Manager does not arrive until 9 am. We will not have adequate cover after 3 pm and the company cannot afford to take on additional staff to cover this shortfall. The Finance team is already under strain due to COVID and there isn't the capacity for other members of the team to take on more work between 3 and 5 pm. Do I have to agree to the changes she has requested? How should I proceed?

2. Lucy Bell

Two days ago, Lucy, the new team administrator, telephoned her line manager to say that she wished to raise a formal grievance concerning her return to work. Lucy has an underlying lung problem and as such she was shielding when the pandemic began. This was not initially an issue for the company as all administrative staff were working from home until August 2020. However, following my request for staff to return to work in Bristol Lucy went to see her doctor who asked if she could continue to work from home for the foreseeable future. Following further discussions with Lucy and her GP it was confirmed that Lucy no longer needed to shield and was therefore able to return to work at the start of November 2020. Following this her line manager sent an email to all staff explaining that Lucy had been shielding due to health problems with her lungs but that she would be back in the office at the start of November.

When Lucy returned to work she became upset when she discovered that all of her colleagues knew of the reason for her absence. She also objected to having to attend a return to work meeting with her line manager to discuss her absence as the manager already knew that this was because of her shielding.

Managers need to be able to inform other staff when someone has phoned in sick so that they can arrange appropriate cover. In addition, if any other employees need to shield or self-isolate due to developing COVID symptoms then I need to be able to tell all the other employees as they will need to know. Am I able to tell staff the underlying reason for the absence? Also, what general advice would you give on keeping records of staff absence due to illness, shielding or self-isolation?

Lucy objected to our practice of holding return to work meetings with staff who have been away ill. Lucy has now raised a grievance about this and our communications with other staff about her absence. How should I deal with her grievance and am I allowed to continue with return to work meetings?

Submit your answers to 1. and 2. above as a draft email setting out the advice that you would give to the Managing Director on the issues raised in his email. Your advice should be supported by reference to the relevant law.

LIST OF DOCUMENTS

1. An extract from the ET1 completed by Gethin Rees dated 27 November 2020

(Box 8.2 of the ET1 form only is included – please accept that the form has been correctly completed and that Mr Rees states he is owed notice pay. He has also ticked both the compensation and reinstatement boxes)

2. A letter from Big Buses Limited to Gethin Rees dated 1 November 2020
3. A letter from Big Buses Limited to Gethin Rees dated 8 November 2020
4. A letter from Big Buses Limited to Gethin Rees dated 12 November 2020
5. A statement from the depot foreman, Steve Smith dated 6 December 2020
6. Gethin Rees's disciplinary record

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DOCUMENT 1

IN THE BRISTOL EMPLOYMENT TRIBUNAL CASE NO. 37898 BETWEEN

GETHIN REES

Claimant

and

BIG BUSES LIMITED

Respondent

Insert for Section 8.2 of ET1

- 1 I am 30 years old and I have worked as a mechanic for Big Buses Limited since March 2014. I earn £26,000 per annum. Big Buses Limited runs a depot business near Bristol which services and repairs Buses. I was one of eight mechanics at the Bristol depot.
- 2 Prior to November 2020, I had never been in trouble with my employer. Since the start of the COVID pandemic we have continued to work at the Bristol Depot servicing buses. The Company put up a few signs stating “Hands, Face, Space” and issued a communication to all mechanics stating that we had to wear facemasks when working indoors at all times but apart from that we had very little communication regarding our working environment. I have raised a number of concerns about the fact that I do not believe that Big Buses is taking our health and safety seriously, but nothing has come of this.
- 3 I take wearing my face mark very seriously as I live with my mother who is shielding as she is very vulnerable. However, all of my other colleagues have struggled with the wearing of the facemasks whilst working and most of them simply take them off when the foreman is not looking. I have complained about this to Steve Smith a number of times, but he has not done anything about it apart from putting up more “Hands, Face, Space” signs.
- 4 On 1 November I was working on a Transit Bus. One of my colleagues, Robert Twist walked up to me. He was not wearing a face mask and he knows that I have complained about him previously. He came right up to my face and coughed at me. I was stunned and appalled by this and I pushed him away and he fell backwards knocking over a large storage container and a number of tools and containers crashed to the floor spilling chemicals all over the depot floor. I was completely in shock. Robert Twist got up from the floor and said, “You’ve done it now!” and all my other workmates started laughing.
- 5 I immediately went to tell the foreman, Steve Smith, what had happened. Luckily, he was in the depot. As I approached Steve I realised that I was no longer wearing my face mask as it must have fallen off during my altercation

with Robert. I was breathing heavily and as I walked up to him and started explaining what had happened he stepped backwards and shouted at me "Where is your face mask?" He then walked past me and went to inspect the damage to the storage container and depot floor.

- 6 Steve said, "This is the last straw" He told me to go to his office as soon as I had retrieved my face mask and put it on. By the time I got to his office he had prepared a letter telling me to go to a meeting on my return from holiday leave. I tried again to explain what had happened and that it was all Robert's fault, and we had a discussion about it all. He took down some notes and said he would discuss this with the other mechanics while I was away the following week.
- 7 I had already booked holiday leave for the next week, but I could not stop worrying about the meeting. Steve Smith has never liked me, and I think that this is because I have continually raised complaints about our working environment after COVID. I texted one of my colleagues Andy Painter and he agreed to come to the meeting with me on 11 November. I then received a letter from Steve Smith formally asking me to attend the meeting on 11 November.
- 8 The meeting did not go well for me. I was glad that I had Andy with me as Steve Smith and Gavin Millard were very angry and didn't really allow me to state my case. I tried to explain that the altercation with Robert was entirely provoked by him. I agreed that I had been sharing a joke with colleagues before the altercation had happened, but I had not been larking around as suggested by Steve Smith.
- 9 Mr Millard said that there were witnesses to the altercation with Robert including Steve Smith himself. He had read the investigation report and concluded that I had pushed Robert and that I had done this deliberately or had been reckless and that there was no excuse for my behaviour. He also said that there was no place for someone with my sort of attitude in a depot where expensive tools and machinery and dangerous chemicals were being used. He told me to go home and come back the following morning when I would be informed of their decision.
- 10 On 12 November, I went to Steve Smith's office at 9.00 a.m. and he handed me a letter signed by Mr Millard telling me I had been sacked for gross misconduct. I was paid a sum to cover my outstanding wages and holiday pay.
- 11 I am very unhappy about the decision to sack me. They told me I could appeal, but I was so flabbergasted by their decision that I missed the deadline they had set for me to appeal. I think my dismissal is totally unfair as I was provoked by Robert and I understand that he is still working for Big Buses. I want my job back and some compensation. I know that it would be difficult to get another job at the moment particularly as they dismissed me for gross misconduct.

DOCUMENT 2

**BIG BUSES LIMITED
UNITS 1 & 2 LONDON ROAD
BRISTOL**

Gethin Rees
22 Rocket Lane
Bristol

1 November 2020

Dear Gethin

Meeting – 11 November 2020

You are required to attend a disciplinary meeting with me and Mr Millard concerning the serious incident which took place today. Please report to my office at 8.00 a.m. on 11 November. You are entitled to bring a work colleague along to the meeting with you.

Yours sincerely

Steve Smith

Steve Smith
Foreman

BIG BUSES LIMITED

DOCUMENT 3

**BIG BUSES LIMITED
UNITS 1 & 2
LONDON ROAD BRISTOL**

Gethin Rees
22 Rocket Lane
Bristol

8 November 2020

Dear Gethin

Investigation

I have spoken to all the other mechanics on duty at the time of the incident on 1 November 2020 and have summarised the notes of our conversations into an investigation report which I have given to Mr Millard ready for our meeting on Monday.

See you next week.

Yours sincerely

Steve Smith

Steve Smith
Foreman

BIG BUSES LIMITED

DOCUMENT 4

**BIG BUSES LIMITED
UNITS 1 & 2
LONDON ROAD BRISTOL**

Gethin Rees
22 Rocket Lane
Bristol

12 November 2020

Dear Mr Rees

Meeting – 11 November 2020

At a meeting on 11 November the company considered the recent incident involving the altercation between you and Robert Twist and your failure to wear a face mask. Following that meeting I decided that you had committed an act of gross misconduct and the decision has been made to dismiss you without notice.

I am therefore writing to confirm the decision that you be dismissed with immediate effect.

You have the right of appeal against this decision. Please write to our Managing Director, Mr Dave Thomas, at the above address within the next 72 hours if you wish to do so.

Yours sincerely

Gavin Millard

Gavin Millard
Depot Manager, Bristol
BIG BUSES LIMITED

STATEMENT OF STEVE SMITH

My name is Steve Smith, and I will say: -

1. I am 53 years old and I live at 10 Acacia Avenue Bristol.
2. I have been the foreman at Big Buses Limited for 28 months. I allocate work to and supervise the mechanics in the depot, one of whom is Gethin Rees.
3. When I came to Big Buses Limited, I introduced a number of new procedures such as a health and safety policy and the keeping of disciplinary records. When the COVID pandemic lockdown started in March 2020 we continued to work at the depot and I set out a number of communications to all the team reminding them of "Hands, Face, Space" and the need to wear facemasks at all times when working indoors.
4. On 1 November 2020 the mechanics were all busy working in the depot when I heard a loud shout and a bang and saw Robert Twist sprawling on the floor next to an overturned storage container. Gethin was standing over him and it was obvious that he had pushed Robert into the storage container causing it to topple over. There were a large number of expensive tools and chemicals all over the depot floor. Gethin was shouting at Robert even though Robert was on the floor and he clearly did not know that I was watching him. He was also not wearing his face mask. Gethin has always been somewhat immature and I have had to talk to him on several occasions about the need for him to behave appropriately in the workplace and adopt a more mature approach to his work.
5. The next thing that happened was that Gethin came up to me without his face mask on and started trying to explain away the incident as being all Robert's fault. I went to fully inspect the damage and told Gethin that in fact I had seen it all and that he had pushed Robert into the storage container causing all the damage and he was now attempting to lie to me. I told him to retrieve his face mask put it on and come to my office.
6. I went to my office and waited for Gethin. While I was waiting, I asked one of the administration ladies to type a note about what had just occurred in the depot and a letter inviting Gethin to come to a meeting on 11 November. Gethin had previously booked the following week as annual leave and so it would not be possible to meet up earlier than this. I gave the letter to Gethin and we had a chat about the incident. I told him to take the rest of the day off.
7. The following week I was able to talk to all the other mechanics who had been in the depot at the time of the incident. I wrote up my notes of these conversations and my conversation with Gethin on the day. This investigation report I passed on to Mr Millard ready for the meeting on 11 November. I wrote a short letter to Gethin to let him know that I had carried out an investigation.

8. At 8.00 a.m. on 11 November, I met Gethin in my office. I had also arranged for Mr Millard, the Depot Manager, to be present. Gethin brought Andy Painter, a work colleague, with him and we spent half an hour discussing what had happened on 1 November. Gethin provided no satisfactory explanation for his assault on Robert or his failure to wear a face mask. He maintained that Robert had provoked him by coughing in his face, but Robert had denied this. Andy was not able to help as he said that he had just seen Robert fall over backwards and that he and the other mechanics had started laughing because Robert had landed flat on his back.
9. At the end of the meeting Gethin was asked to go home and return the following morning at 9.00 a.m. by which time a decision would have been made about his employment with Big Buses Limited.
10. Mr Millard and I met on the morning of 12 November, when we agreed that Gethin should be sacked for gross misconduct. A letter was prepared and signed by Mr Millard and was given to Gethin when he arrived at 9.00 a.m. Gethin was also given a payment for his outstanding pay and holiday pay. He appeared to accept the decision and left the depot immediately. I am very surprised that he is now making a claim against the company.
11. This statement is true to the best of my knowledge and belief.

Steve Smith

6.12.2020

STEVE SMITH

DOCUMENT 6DISCIPLINARY RECORD

EMPLOYEE: Gethin Rees

ADDRESS: 22 Rocket Lane Bristol

EMPLOYMENT
COMMENCED: 4 March 2014

Date of Incident	Description	Discipliner
6 August 2018	oral warning for bad timekeeping	Mr S Smith
COMMENT: Mr Rees arrived half an hour late for work today – no satisfactory explanation		
1 November 2020	serious incident in depot witnessed by Mr S Smith	
1 November 2020	letter of invitation to disciplinary meeting	Mr S Smith
6 November 2020	investigation	Mr S Smith
8 November 2020	letter regarding Investigation	Mr S Smith
11 November 2020	disciplinary meeting	Mr S Smith Mr G Millard
12 November 2020	dismissal letter	Mr G Millard

GUIDANCE FOR STUDENTS IN THE COMPLETION OF TASKS

NOTE: The guidance offered below is linked to the five generic assessment criteria overleaf.

1. Engagement with Literature Skills

Your work must be informed and supported by scholarly material that is *relevant* to and *focused* on the task(s) set; you should make use of scholarly reviews and primary sources, as appropriate (for example, refereed research articles and/or original materials appropriate to the discipline). You should provide evidence that you have accessed a wide *range* of sources, which may be academic, governmental and industrial; these sources may include academic journal articles, textbooks, current news articles, organisational documents, and websites. You should consider the *credibility* of your sources; academic journals are normally highly credible sources while websites require careful consideration/selection and should be used sparingly. Any sources you use should be current and up-to-date, mostly published within the last five years or so, though seminal/important works in the field may be older. You must provide *evidence* of your research/own reading throughout your work, using correctly a suitable referencing system, including in-text citations in the main body of your work and a reference list at the end of your work.

Guidance specific to this assessment: *At least 1 reference for every 100 words written.*

2. Knowledge and Understanding Skills

At level 7, you should be able to demonstrate a systematic understanding of knowledge, and a critical awareness of current problems and/or new insights, much of which is at, or informed by, the forefront of your academic discipline, field of study or area of professional practice, with a comprehensive understanding of techniques applicable to your own research or advanced scholarship. Your work must demonstrate your growing mastery of these concepts, principles, current challenges, innovation and insights associated with the subject area. *Knowledge* relates to the facts, information and skills you have acquired through your learning. You demonstrate your *understanding* by interpreting the meaning of the facts and information (knowledge). This means that you need to select and include in your work the contemporary concepts, techniques, models, theories, etc. appropriate to the task(s) set. You should be able to explain the theories, concepts, etc. meaningfully to show your understanding. Your mark/grade will also depend upon the *extent* to which you demonstrate your knowledge and understanding; ideally each should be complete and detailed, with comprehensive coverage.

Guidance specific to this assessment: *You should demonstrate the most up to date employment law knowledge associated with each task.*

3. Cognitive and Intellectual Skills

You should be able to: evaluate critically current research and advanced scholarship in the discipline; evaluate methodologies and develop critiques of them and, where appropriate, to propose new hypotheses; deal with complex issues both systematically and creatively to make sound judgements in the absence of complete data. Your work must contain evidence of logical, analytical thinking, evaluation and synthesis. For example, to examine and break information down into parts, make inferences, compile, compare and contrast information. This means not just describing what! But also justifying: Why? How? When? Who? Where? At what cost? At all times, you must provide justification for your arguments and judgements. Evidence that you have reflected upon the ideas of experts within the subject area is crucial to you providing a reasoned and informed debate within your work. Your choice of methodologies to gather data and information must be rigorously defended. Furthermore, you should provide evidence that you are able to make sound judgements and convincing arguments using data and concepts. Sound, valid, persuasive conclusions are necessary and must be derived from the content of your work. Where relevant, alternative solutions and recommendations may be proposed.

Guidance specific to this assessment: *Risks and benefits of the advice given should be explored and the most appropriate course of action determined based on evidence.*

4. Practical Skills

At level 7, you should be able to demonstrate originality in the application of knowledge, together with a practical understanding of how established techniques of research and enquiry are used to create and interpret knowledge in the discipline. This includes acting autonomously in planning and implementing tasks at a professional or equivalent level, originality in tackling and solving problems, and decision-making in complex and unpredictable contexts or situations.

You should be able to demonstrate mastery of the leading edge subject-related concepts and ideas as they relate to real world situations and/or particular contexts. How do they work in practice? You will deploy models, methods, techniques, and/or theories, in those contexts or circumstances, to assess current situations, perhaps to formulate plans or plausible, justifiable recommendations to solve problems, or to propose new models, or to create artefacts, which may be innovative and creative, thereby demonstrating your understanding of how the boundaries of knowledge are advanced through research and/or application. This is likely to involve, for instance, the use of real world artefacts, examples and cases, the application of a model within an organisation and/or benchmarking one theory or organisation against others.

Guidance specific to this assessment: *You should consider the practicality of the advice given for the business in question.*

5. Transferable Skills for Life and Professional Practice

Your work must provide evidence of the qualities and transferable skills necessary for postgraduate-level employment in circumstances requiring sound judgement, personal responsibility and initiative in complex and unpredictable professional environments. This includes demonstrating: the independent learning ability for continuing professional development to advance existing skills and acquire new competences of a professional nature that will enable you to assume significant responsibility within organisations; that you can initiate and complete tasks, projects and procedures, whether individually and/or collaboratively, to a professional level; that you can use appropriate media to effectively communicate information, arguments and analysis in a variety of forms for a variety of audiences; fluency of expression; clarity and effectiveness in presentation and organisation. Work should be coherent and well-structured in presentation and organisation.

Guidance specific to this assessment:

Please note the following when completing your assignment:

1. Writing: Written in English in an appropriate business/academic style
2. Focus: Focus only on the tasks set in the assignment.
3. Length: **4500 words**
4. Formatting: Typed in A4 format in Times New Roman or Arial font 12 with at least 2.5 centimetre space at each edge.
5. Document format: Provide a written response to each task, include name or ID number on a cover sheet and including a reference list using Harvard referencing throughout.
6. Research: Research should use reliable and relevant sources of information e.g. case authority, legislation, and academic books the research should be extensive.

STUDENT FEEDBACK FORM

This section details the *extent* to which the assessment criteria are demonstrated by you, which in turn determines your mark. The marks available for each category of skill are shown. Lecturers will use the space provided to comment on the achievement of the task(s), including those areas in which you have performed well and areas that would benefit from development/improvement.

Generic Assessment Criteria	Marks available	Marks awarded
1. Engagement with Literature Skills		
	20	
2. Knowledge and Understanding Skills		
	20	
3. Cognitive and Intellectual Skills		
	20	
4. Practical Application Skills		
	20	
5. Transferable Skills for Life and Professional Practice		
	20	

Assessment Mark (Assessment marks are subject to ratification at the Exam Board. These comments and marks are to give feedback on module work and are for guidance only until they are confirmed.)	Late Submission Penalties (tick if appropriate)		%
	Up to 1 week late (50% Max)		
	Over 1 week late (0%)		

GENERIC ASSESSMENT CRITERIA

Level 7

In accordance with the Framework for Higher Education Qualifications, at the end of Level 7 students should be able to demonstrate: a systematic understanding of knowledge, and a critical awareness of current problems and/or new insights, much of which is at, or informed by, the forefront of their academic discipline or area of professional practice; a comprehensive understanding of techniques applicable to their own research or advanced scholarship; originality in the application of knowledge, together with a practical understanding of how established techniques of research and enquiry are used to create and interpret knowledge in the discipline; conceptual understanding that enables the student to evaluate critically current research and advanced scholarship in the discipline to evaluate methodologies and develop critiques of them and, where appropriate, to propose new hypotheses. They will be able to deal with complex issues both systematically and creatively, make sound judgements in the absence of complete data, and communicate their conclusions clearly to specialist and non-specialist audiences. They will demonstrate self-direction and originality in tackling and solving problems, and act autonomously in planning and implementing tasks at a professional or equivalent level to continue to advance their knowledge and understanding, and to develop new skills to a high level. They the qualities and transferable skills necessary for employment requiring the exercise of initiative and personal responsibility; decision-making in complex and unpredictable situations/professional environments; and the independent learning ability required for continuing professional development.

Level 7	FAIL	FAIL	MARGINAL FAIL	SATISFACTORY (Pass)	GOOD to VERY GOOD (Merit)	EXCELLENT (Distinction)	EXCEPTIONAL (Distinction)
Category	0-29%	30-44%	45-49%	50-59%	60-69%	70-84%	85-100%
Engagement with literature (including current research, referencing, academic conventions and academic honesty)	Little or no evidence of reading and/or reliance on inappropriate sources. Views and findings mostly unsupported and non-authoritative. Referencing conventions used incoherently or largely absent.	Poor engagement with essential reading. No evidence of wider reading. Reliance on inappropriate sources, and/or indiscriminate use of sources. Heavily reliant on information gained through class contact. Inconsistent and weak use of referencing.	Engagement with a very limited range of relevant and credible sources. Some omissions and minor errors. Referencing conventions evident though not always applied accurately or consistently.	Engagement with an appropriate range of research-informed literature, including sources retrieved independently. Some over-reliance on texts. Referencing may show minor inaccuracies or inconsistencies.	Engagement with a wide range of research-informed literature, including sources retrieved independently. Selection of relevant and credible sources. Very good use of referencing, with no/very few inaccuracies or inconsistencies.	Engagement with an extensive range of relevant and credible literature, informed by the latest research. Consistently accurate application of referencing.	Exceptional engagement with an extensive range of relevant and credible literature, informed by the latest research. High-level referencing skills consistently and professionally applied.
Knowledge and	Major gaps in knowledge and	Gaps in knowledge, with	Limited knowledge and	Knowledge is accurate and	Knowledge has a well-defined	Excellent mastery of a	Exceptional mastery of a

Level 7	FAIL	FAIL	MARGINAL FAIL	SATISFACTORY (Pass)	GOOD to VERY GOOD (Merit)	EXCELLENT (Distinction)	EXCEPTIONAL (Distinction)
Category	0-29%	30-44%	45-49%	50-59%	60-69%	70-84%	85-100%
understanding (A systematic, conceptual understanding of knowledge, and a critical awareness of current problems and/or new insights, much of which is at, or informed by, the forefront of the discipline; a comprehensive understanding of techniques applicable to their own research)	understanding of the subject matter is not systematic. Substantial inaccuracies. No awareness of current problems, insights or the latest research and/or advanced scholarship within the discipline.	only superficial systematic understanding. Some significant inaccuracies and/or irrelevant material. No critical awareness of current problems, insights, or latest research within the discipline.	systematic understanding of the concepts and principles within the subject area, which to some marginal extent, is informed by current research and scholarship. Some critical awareness of current problems and/or new insights, but often under-developed.	reasonably detailed. A systematic understanding of the field of study informed by, to some extent, current research and scholarship. A critical awareness of current problems and/or new insights though this may be under-developed occasionally.	focus, which is reasonably extensive, coherent and detailed, with a critical awareness of current problems and/or new insights. Exhibits good understanding of the breadth and depth of contemporary and established views, and the work is, at least in part, well-informed by current research and scholarship.	complex and specialised area of knowledge. A systematic, excellent understanding of the concepts of the subject informed by current research and scholarship. Highly critical awareness of current problems and/or new insights. A critical, awareness of how the boundaries of knowledge are advanced through research.	complex and specialised area of knowledge. An exceptionally critical awareness of current problems and/or new insights. An outstanding understanding of the concepts of the subject, well-informed by current research and scholarship. A critical, sophisticated and nuanced awareness of how the boundaries of knowledge are advanced through research.
Cognitive and intellectual skills (Critical evaluation of current research and methodologies and develop critiques of them and, where appropriate, to propose new hypotheses; make sound	Wholly or almost wholly descriptive work. Little or no evaluation or critique or attempt at a systematic approach. Failure to develop arguments, leading to illogical or invalid	Largely descriptive work, with superficial use of critical evaluation of research and methodologies. Absent or weak development of hypotheses and judgements. Information accepted uncritically, uses	Limited attempt at critical evaluation/ critique of current research and methodologies, tending towards description. Limited attempt to propose new hypotheses. Can deal with complex issues	Some critical evaluation/ critique of current research and methodologies, though slightly underdeveloped in places, Proposes adequate but limited new hypotheses, where relevant.	Sound critical evaluation/ critique of current research and methodologies, Proposes new hypotheses, where appropriate. Can deal with complex issues systematically and with some	Excellent critical evaluation/ critique of current research and methodologies, Proposes innovative hypotheses, where appropriate. Can synthesise complex issues systematically	Exceptional critical evaluation/ critique of current research and methodologies, Proposes innovative hypotheses, where appropriate. Exemplary systematic and

Level 7	FAIL	FAIL	MARGINAL FAIL	SATISFACTORY (Pass)	GOOD to VERY GOOD (Merit)	EXCELLENT (Distinction)	EXCEPTIONAL (Distinction)
Category	0-29%	30-44%	45-49%	50-59%	60-69%	70-84%	85-100%
judgements in the absence of complete data.)	judgements. Unsubstantiated generalisations, made without use of credible evidence.	generalised statements made with scant evidence and unsubstantiated opinions. Ideas sometimes illogical and contradictory.	but not systematically or creatively. Some evidence to support emerging judgements but these may be underdeveloped or with a little inconsistency / mis-interpretation. May assert rather than argue a case.	Can deal with complex issues but not fully systematically or creatively. Ability to make judgements based on data (that may be incomplete) but with some tendency to assert/state opinion rather than argue on the basis of reason and evidence.	creativity. Ability to make sound judgements based on data (that may be incomplete)	and creatively. Ability to investigate contradictory or incomplete information and make strong, persuasive, arguments and sophisticated judgements.	creative synthesis of complex issues. Ability to investigate contradictory or incomplete information and make strong, persuasive, arguments and sophisticated, nuanced, judgements. Potential for journal publication or doctoral research.
Practical skills (Originality / creativity in the application of knowledge, tools and techniques and in tackling and solving problems in complex and unpredictable professional situations; practical use of established techniques of research and enquiry to create and interpret knowledge in the discipline.)	Limited or no use of methods, materials, tools and/or techniques. Little or no appreciation of the context of the application. Limited understanding of the application of theory to practice or making appropriate links between the two. Very weak problem-solving skills in complex and	Rudimentary application of methods, materials, tools and/or techniques but without consideration and competence. Flawed appreciation of the context of the application. Weak understanding of the application of theory to practice, with only occasional evidence of	An awareness and mostly appropriate application of well-established methods, materials, tools and/or techniques, with occasional errors. Basic appreciation of the context of the application. Theoretical knowledge and understanding applied in practice, but not always making	An appropriate application of standard methods, materials, tools and/or techniques. Clear appreciation of the context of the application. Mainly consistent, accurate and logical application of theory to practice, making appropriate links between the two.	A very good application of a range of methods, materials, tools and/or techniques. Very good consideration of the context of the application, with perceptive insights. Can identify problems and propose appropriate solutions in complex and unpredictable contexts.	An advanced application of knowledge, methods, materials, tools and/or techniques. The context of the application is well considered, and insightful. Can identify complex problems and propose excellent solutions. An excellent grasp of techniques applicable to own research or	Exceptional application skills in complex, unpredictable, contexts, drawing skilfully on the latest research within the discipline. Can identify complex problems and propose sophisticated, original solutions. An outstanding application of techniques applicable to own research or

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	unpredictable contexts.	making appropriate links between the two. Weak problem-solving skills in complex and unpredictable contexts.	logical links between the two. Can identify problems and propose basic solutions without fully appreciating the complexity of unpredictable contexts.	Can identify problems and propose mostly appropriate solutions in complex and unpredictable contexts, with elements of originality.	Evidence of originality and creativity.	advanced scholarship. Shows originality in application of knowledge and techniques, and of how established techniques of enquiry create and interpret knowledge in the discipline.	advanced scholarship. Shows originality in application of knowledge and techniques, and of how established techniques of enquiry create and interpret knowledge in the discipline with assimilation and development of cutting edge processes and techniques.
Transferable skills for life and professional practice (Exercise of self-direction, autonomy and personal responsibility; plan and implement tasks at a professional level; independent learning; use appropriate media to communicate effectively and professionally to a variety of audiences; fluency of expression; systematic	Communication medium is inappropriate or misapplied. Work is poorly structured, disorganised and/or confusingly expressed. Very weak use of language and/or very inappropriate style. Little or no evidence of autonomy (or collaboration, where relevant) in the completion of tasks. Little or no evidence of	Communication medium is poorly designed and/or not suitable for the audience. Work is poorly presented in a disjointed manner. It is loosely, and at times incoherently, structured, with information and ideas often poorly expressed. Weak use of language and/or inappropriate style. Weak independent	Can communicate in a suitable medium but with some room for improvement. Mostly ordered presentation and structure in which relevant ideas / concepts are reasonably expressed. Work may lack coherence in places. Can work as part of a team, but with limited involvement in group activities.	Can communicate effectively in a suitable format, but may have minor errors. Mostly coherent, organised work, in a suitable structure and is for the most part clearly expressed. Can work effectively independently and/or as part of a team, with clear contribution to group activities. Demonstrates the skills	Can communicate well, confidently and consistently in a suitable format. Work is coherent, fluent, well-structured and organised. Can work very well autonomously and/or as part of a team, with a good contribution to group activities. Demonstrates comprehensive professional, postgraduate	Can communicate professionally confidently and consistently in a suitable format. Work is coherent, very fluent and is presented professionally. Can work autonomously with initiative. Where relevant can work professionally within a team, showing leadership skills as appropriate, managing	Can communicate with an exceptionally high level of professionalism. Work is remarkably coherent, very fluent and is presented professionally. Can work outstandingly well and professionally within a team, showing advanced leadership skills. Demonstrates exemplary

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approach; clarity and effectiveness in presentation and organisation.)	the skills required in professional, postgraduate employment.	initiative (or collaboration, if relevant). Limited evidence of the skills required in professional, postgraduate employment.	Demonstrates some but not all of the basic skills required in professional, postgraduate employment, with some areas of minor weakness.	required in professional, postgraduate employment, with some areas of strength and some of minor weakness.	employment skills.	conflict and meeting obligations. Demonstrates excellent professional, postgraduate employment skills and a strong appetite for further development.	professional, postgraduate employment skills and a strong appetite for further development.

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