

UNIVERSITY SUBJECT REVIEW

**Provision provided by the Law Subject Group within
The School of Accounting, Financial Services and Law**

May 2013

Preface

Purpose of University subject review

The purpose of University subject review is to provide a mechanism which enables the University to be confident that the academic standard set and approved for all credit bearing and non-credit bearing provision and the quality of learning opportunities offered to all students meet University and Scottish Funding Council expectations.

Outline of the procedure

University subject review is implemented in three complementary stages: preparation, led and monitored by the Head of School; scrutiny, led by Academic Quality; and, implementation of a school enhancement plan, led by the Head of School and monitored by the University Quality Assurance Monitoring and Review Committee. Faculty Academic Strategy and Enhancement Committee provides support, advice and guidance to schools throughout the process as appropriate. The procedure is evidence-based and is reliant on information gathered during faculty and school-based quality assurance and enhancement activities typically within a six-year cycle. University subject review has been designed to be developmental in nature and encourages self-critical reflection through promoting dialogue between peers on areas where quality might be improved.

Evidence

In order to obtain evidence for the review, the panel carries out a number of activities, including scrutinising a self-critical reflection produced by the school with responsibility for the subject areas being reviewed, reviewing the effectiveness of quality mechanisms and their associated documentation, and holding discussions with relevant staff and students. The panel's discussions are also informed by University policy and procedures and external subject benchmark information.

Outcome of the review

The outcome of the review is a school enhancement plan developed by the Head of School using information from the review report. The report records the panel's findings in relation to the effectiveness of the measures being implemented by the school to set and maintain the academic standard of its provision and to enhance the quality of the learning experience of all of its students. The report includes areas of good practice worthy of further dissemination and recommendations made by the panel to improve the school's management of its provision. A draft school enhancement plan noting the good practice identified by the review panel and any recommendations made will form part of the review report.

The school enhancement plan

Within a timescale agreed by the Head of School and Head of Academic Quality the school completes an enhancement plan by identifying: the action to be taken to either share good practice or address recommendations; the individual with responsibility for implementing the action; a completion date; and, the means by which the success or otherwise of the action will be evaluated and reported. The Head of School will monitor the implementation of the enhancement plan and provide their Faculty Academic Strategy and Enhancement Committee with regular progress reports. Faculty Academic Strategy and Enhancement Committee will provide University Quality Assurance Monitoring and Review Committee with a progress report on the implementation of the enhancement plan as part of the annual reporting procedure.

Executive summary

Summary

1. The Law Subject Group is part of the School of Accounting, Financial Services and Law one of three schools within the Edinburgh Napier Business School. The scope of the review includes all provision developed and delivered by the Subject Group which takes account of the expectations set out in the following subject benchmark statement:

- Law (2007).

2. At the time of the review 86 undergraduate students were enrolled on programmes provided by the Subject Group. Of these 11 were studying on a part-time basis and one student was in the process of completing the BA (Hons) Law. The remaining 74 students were enrolled on the Law Society of Scotland accredited LLB. The Subject Group portfolio includes two postgraduate programmes but at the time of the review there were no students enrolled on either programme. A list of the programmes delivered by the Subject Group at the time of the review is included as Appendix 1.

3. Given the size of the Subject Group portfolio the panel was able to conclude that the academic standard of all law provision continues to meet subject, University, sector and professional body expectations. The sampling of material provided by the Subject Group enabled the panel to find that curriculum are relevant, influenced by staff scholarly activity and research and delivered through a variety of appropriate learning, teaching and assessment approaches. The Subject Group monitors the effectiveness of learning and teaching through a range of mechanisms including student staff liaison committees and programme boards of studies. The sample of external examiner reports scrutinised by the panel confirms consistently the appropriateness of the academic standards across all of the Subject Group's provision.

4. The Subject Group produced an evaluative and succinct critical reflection which contained areas of good practice and also identified where development activity was required. This critical reflection, the collegiate discussions with staff, students and graduates, and the scrutiny of the evidence base, demonstrated to the panel that the Subject Group is engaging effectively in enhancement-led activities.

Good practice

The following areas of **good practice** were identified for further dissemination University-wide:

- assessment methods designed by the Subject Group reflect law practice and employability skills (paragraph 10)
- the provision of academic and pastoral support provided by the Subject Group through staff being approachable and the effective operation of an 'open door' policy (paragraph 13)
- the quality of written assessment feedback and the mechanisms to follow-up with one-to-one meetings (paragraph 14)
- the strategic approach to developing research adopted by the Subject Group (paragraph 25).

Recommendations

The panel recommends that the Law Subject Group:

- explore the feasibility of providing students with an opportunity to participate in presentation and mooting activities throughout their studies (paragraph 12)
- continue to monitor the provision of one-to-one assessment feedback and the induction programme provided to all of its students to ensure that full and part-time students have access to an equivalent learning experience (paragraphs 14, 15 and 16)
- working with faculty and school colleagues, continue to consider the development of a system to monitor the effectiveness of the quality of teaching (paragraph 17)
- continue to explore whether more use could be made of technology to enhance the student learning experience and that its use is applied consistently across all taught provision (paragraph 21)
- working with student representatives, develop and implement a mechanism for providing students with formal feedback on the action taken to address concerns raised by them at Boards of Study and student staff liaison committees and less formally (paragraph 23).

Matters to be referred outside the School:

- many staff view University policy on promotion as being a barrier to capacity building as, for example, only two promoted academic posts are available in 2013 University-wide. The panel agreed to note the Subject Group's concerns in this regard and bring it to the attention of the Director of Human Resources (paragraph 20)

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Conduct of the review

1 This report presents the findings of the University subject review of provision provided by the Law Subject Group within the School of Accounting, Financial Services and Law. The review was carried out by:

Pauline Miller-Judd, Head of School of Arts and Creative Industries (Panel Convenor).

Professor Fiona Raitt, School of Law, University of Dundee.

Dr Keith Smyth, Senior Lecturer and Senior Teaching Fellow, the Office of the Vice-Principal.

Grant Horsburgh, Head of Academic Quality (Clerk to the Panel).

In attendance throughout:

Arthur Morrison, Assistant Dean, Edinburgh Napier Business School.

Stewart Falconer, Head of School of Accounting, Financial Services and Law.

2 Apologies for non-attendance were received from Liseli Sitali, Napier Students' Association Sabbatical Officer.

Setting the review in context

3 The Law Subject Group moved to the School of Accounting, Financial Services and Law in Autumn 2011 as part of a University-wide re-structuring process. This move meant that the Subject Group was not included in the University subject reviews of its former parent school, the School of Management and Law (March 2012) or its current school which had been successfully reviewed in May 2009 as the then School of Accounting, Economics and Statistics. As the Subject Group was the only remaining academic area of the University not to be reviewed under this methodology it was agreed that Subject Group would be reviewed using a bespoke event.

4 The review was implemented using an abridged version of the University's established *University subject review* process which enables the University to be confident that account is being given to Scottish Funding Council internal quality review expectations. This decision, agreed during discussions involving faculty, school and subject group representatives and the Head of Academic Quality, was based on two key factors:

- a) University re-structuring resulting in the law subject group moving schools from one that had not been review to one that had already participated in the process
- b) a combination of the small size of the law provision and the programme with the largest student population being externally accredited and monitored by the Law Society of Scotland.

5 The purpose of the review would test the effectiveness of the Subject Group's management of processes in place to set and maintain academic standards and to enhance the quality of the student experience. The above factors enabled the review agenda to concentrate on ensuring that the University's quality assurance and

enhancement expectations had been taken into account during the implementation of Law Society of Scotland processes and that any gaps or omissions have been addressed. To achieve this the Subject Group provided the panel with a critical reflection in the form of a commentary evaluating the effectiveness of the management of the student learning experience and the implementation of the processes designed to enhance learning and teaching approaches and maintain academic standards.

6 At the time of the review the Subject Group consisted of 10 teaching staff. Eighty six undergraduate students were enrolled on programmes provided by the Subject Group. Of these 11 were studying on a part-time basis and one student was in the process of completing the BA (Hons) Law. The remaining 74 students were enrolled on the Law Society of Scotland accredited LLB. The Subject Group portfolio includes two postgraduate programmes but at the time of the review there were no students enrolled on either programme. A list of the programmes delivered by the Subject Group at the time of the review is included as Appendix 1.

7 The main programme taught by the Subject Group is the LLB (Hons) along with the part-time LLB and the graduate entry LLB. Originally accredited by the Law Society of Scotland in 2001 these programmes were successfully re-accredited in 2010-11 in order to conform to new requirements requested by the Law Society of Scotland. The demand for BA Law has waned in recent years and the programme will be withdrawn at the end of academic session 2012/13 once current students complete their studies. Subject Group staff continue to teach modules for other subject areas within the Business School, for example, human resources, criminology, business and accountancy.

8 The Subject Group offers two master's programmes, an LLM in Health and Social Welfare Law and an LLM in International Commercial Law. The former has run for two years but the latter has yet to run. The Subject Group does not offer, and at present has no plans to offer, the Diploma in Legal Practice.

9 The panel met with a group of nine current students and one graduate from the LLB who was in the process of undertaking her traineeship with a local law firm. This meeting confirmed that while the timing of the review had prevented students from being actively involved in the development of the critical reflection all student representatives had been given the opportunity to comment on a draft. Students met by the panel indicated that the critical reflection provided a fair representation of their views on the Subject Group's management of the learning experience offered.

The appropriateness of the academic standard set and maintained by the School

10 The panel was provided with sufficient evidence to indicate that the academic standard set and maintained by the Subject Group meets University and sector expectations. The evidence base included programme specifications, module descriptors, external examiner reports and module and programme annual monitoring reports. The panel noted that external examiners commented that all modules are carefully designed and delivered according to the aims and objectives set out in the module descriptors and that the assessment process is fair and rigorous with thorough feedback being provided by first markers. The assessment methods designed by the Subject Group reflect law practice and employability skills. The use of such realistic methods is an example of good assessment practice.

The quality of the learning opportunities and the learning experience provided to students

11 In general, students met by the panel were enthusiastic in their praise for the quality of the learning opportunities and the learning experience provided by the Subject Group.

This is reflected through National Student Survey results for 2011/12 where the overall satisfaction rating among full-time final year students was 96 per cent, an outcome which ranked the Subject Group fifth equal out of 95 law schools UK-wide. A satisfaction rating is unavailable for part-time students as the number of students does not meet the minimum threshold.

12 Presentational skills are a key component within the final stage of study on the LLB (Hons). Feedback from institutions offering the Diploma in Legal Practice indicates that students have well-developed presentational skills in comparison to students from other institutions. Mock interviews have also been introduced into the final year curriculum as it is recognised that the development in students of confidence and presentational skills are key graduate attributes for law students. The Subject Group acknowledged the valuable workshops provided by the Confident Futures team to assist in the development of inter-personal and communication skills. Students indicated that they would welcome more opportunities to participate in mooting activities as a means of developing further their inter-personal, communication and presentational skills. In acknowledging the benefits of mooting staff indicated that this is a time-consuming activity. However, given the apparent benefits gained by final year students in participating in mooting and presentation activities, the panel recommends that the Subject Group explore the feasibility of providing students with an opportunity to participate in such activities throughout their studies.

13 Full-time students regard the 'open door' policy adopted by the Subject Group as helpful. During the meeting with students some awareness of the University's personal development tutor scheme was acknowledged. None of the students present could name their 'personal development tutor' but as the discussion developed it became clear that students knew that they have a named 'year tutor'. It was noted that the Business School and School view is that the year tutor scheme in operation across the Business School takes account of the requirements of the University's personal development tutor scheme. Timetabled tutorial meetings are not provided as students have not been attending. Staff indicated that the effectiveness of their 'open door' policy negates the need for formal timetabled meetings. All students indicated that they feel able to approach teaching staff for academic assistance or pastoral support at any time and know that their needs will be met. Students appreciate that teaching staff know their students as individuals and that this adds value to the collegiate atmosphere within the Subject Group. The provision of academic and pastoral support provided by the Subject Group through staff being approachable and the effective operation of an 'open door' policy is a feature of good practice.

14 Students met by the panel were unanimous in stating that the combination of small class sizes, the level of contact with teaching staff and the quality and content of lectures were major contributors to a positive learning experience. Small class sizes encourage discussion of topics among students which is regarded as a key feature in helping to develop employment related personal skills. Lecturers were praised for their provision of assessment feedback which assists students in understanding how they can achieve a better mark or grade. It was noted that some lecturers provide one-to-one assessment feedback in addition to their written feedback. While the quality of written assessment feedback and the mechanisms to follow-up with one-to-one meetings are recognised as good practice, part-time students indicated their difficulty in accessing staff to gain such additional assessment feedback.

15 Full-time students indicated that the induction process at the start of their studies and in each subsequent year provided clear information on their programme and the expected learning outcomes. However, part-time students spoke less favourably of their induction experience. Staff indicated that part-time student induction has been enhanced following

student feedback that returning students in particular value an early start to teaching as opposed to induction-style activities.

16 The panel recommends that the Subject Group continue to monitor the provision of one-to-one assessment feedback and the induction programme provided to all of its students to ensure that full and part-time students have access to an equivalent learning experience.

17 During a discussion on teaching delivery, faculty, school and Subject Group staff acknowledged their disappointment that inconsistencies still exist in the standard of teaching delivery between individual lecturers. Students confirmed that the majority of staff provide excellent learning and teaching opportunities which makes the inconsistent practice more obvious. The panel recommends that the Subject Group, working with faculty and school colleagues, continue to consider the development of a system to monitor the effectiveness of the quality of teaching.

The effectiveness of the systems implemented by the School to manage the quality and standard of its provision

18 The panel was provided with sufficient evidence to indicate that the Subject Group has effective systems in place to manage the quality and standard of its provision. Staff demonstrated awareness of the University's academic regulations and *Quality Framework*. The Subject Group produced an evaluative and succinct critical reflection which contained areas of good practice and also identified where development activity was required. This critical reflection and programme annual monitoring reports made available to the panel indicate that the Subject Group is managing the quality and standard and engaging effectively in enhancement-led activities.

The effectiveness of the School's engagement with University and faculty strategies, policies, procedures and initiatives

19 The critical reflection demonstrated that the Subject Group is fully aware of University and Business School strategic plans and that staff are striving to engage fully with these. Examples included: the provision of a part-time route to the LLB as a means of widening access to higher education; a student mentoring scheme and a Professional Practice Committee to improve collaboration with the profession; additional academic support for first year students to improve student retention; and, making reasonable adjustments to take account of individual students' needs as part of the Subject Group's commitment to equality and diversity.

20 At the time of the visit the Subject Group had only one Teaching Fellow which, in the opinion of the panel, was surprising given the many examples of good practice in teaching and learning. In noting the advantages to staff of engaging with the University's Teaching Fellowship Scheme staff acknowledged that the Subject Group was under represented and that increasing the number of Teaching Fellowships is a future priority. During the discussion it was also noted that recognition as a Teaching Fellow is a first step towards a promoted academic post and future capacity building opportunities. However, many staff view University policy on promotion as being a barrier to capacity building as, for example, only two promoted academic posts are available in 2013 University-wide. The panel agreed to note the Subject Group's concerns in this regard and bring it to the attention of the Director of Human Resources.

21 The Subject Group acknowledges the benefits of using technology which have become apparent through participation by individuals in the MSc Blended and Online Learning. The Subject Group has an aspiration to use technology more widely to enhance further the effectiveness of learning and teaching delivery and is currently exploring the

development of a blended learning online module. A theme for a recent discussion forum covered how the Subject Group might address student comments relating to the use of technology. Students indicated that a more consistent approach across the Subject Group on the use of technology as an integral part of their learning experience would be most welcome. The panel recommends that the Subject Group continue to explore whether more use could be made of technology to enhance the student learning experience and that its use is applied consistently across all taught provision.

The effectiveness of the School's engagement with employers and professional and statutory bodies to ensure that its provision remains relevant and produces employable graduates

22 The Subject Group provided several examples of their engagement with the legal profession which provides an effective mechanism for ensuring that the provision remains relevant and produces employable graduates. This includes: accreditation of the LLB with the Law Society of Scotland; representation on Law Society of Scotland committees; a close relationship with the Society of Her Majesty's Writers to the Signet; interaction with the legal profession; participation at conferences; and, discussions with the Faculty of Advocates.

The effectiveness of mechanisms for encouraging student engagement with their learning and with quality processes

23 The Subject Group encourages student representatives to attend Boards of Study and student staff liaison committees as the formal mechanism for discussing matters raised by students. Student representatives confirmed their attendance at meetings and that their views were listened to. Examples were provided of action taken by the Subject Group to address student concerns but in general students expressed some frustration that no formal mechanism is in place to provide the student body with feedback on the action taken to address matters raised. Staff acknowledged that the effectiveness of Boards of Study and student staff liaison committees could be enhanced through providing students with a formal response to matters raised. It was noted that students tend to raise matters with staff as these occur which adversely affects the effectiveness of the formal meeting. The panel recommends that the Subject Group, working with student representatives, develop and implement a mechanism for providing students with formal feedback on the action taken to address concerns raised by them at Boards of Study and student staff liaison committees and less formally.

The effectiveness of staff engagement with research, knowledge transfer and other personal and professional development activities

24 In the critical reflection the Subject Group acknowledged the challenges of attracting students to an LLM programme in a crowded market. Discussions with staff indicated that the Subject Group is exploring the feasibility of concentrating on developing specialist master's-level programmes based on a clear demand and staff knowledge and expertise. For example, a proposed MSc in Corporate Governance is being considered with a view to targeting demand from individuals working in the financial services industry within Edinburgh. Staff acknowledged that employers are more likely to sponsor students to attend law schools with strong research ratings.

25 All staff members are to some extent engaged in research and knowledge exchange activities. Dissemination takes place in peer-reviewed journal and professional journal articles, commissioned reports, books, consultancy and advisory work, and presentations at internal and external seminars and conferences. The importance of research and teaching linkages is recognised and informs teaching on all programmes. Drawing on

existing expertise within the Subject Group, steps are being taken to create an intra- and inter- faculty interdisciplinary centre for mental health law, rights and policy, with collaborative links to external bodies in the professional, public and private sectors. The strategic approach to developing research adopted by the Subject Group is an example of good practice.

The effectiveness of the Subject Group's engagement with professional service areas

26 The critical reflection and discussions with students and staff indicates that the Subject Group is engaging effectively with the University's professional service areas.

Provision included within the scope of the review

- 1 Undergraduate programmes:
 - a) BA Law
 - b) LLB (Hons).

- 2 Taught master's programmes:
 - a) LLM (Criminal Justice)
 - b) LLM (Health and Social Welfare).

School enhancement plan: Law Subject Group, May 2013.						
Good practice						
	Action to be taken	Target date	Action by	Success indicators	Reported to	Evaluation
Assessment methods designed by the Subject Group reflect law practice and employability skills (paragraph 10)	Routine monitoring and review activities will continue to take account of current and developing law practice and employability skills to ensure that assessment methods remain current.	To be completed by module leaders after each delivery.	Module leaders.	Positive feedback from external examiners and other peer reviewers.	Faculty Academic Strategy and Enhancement Committee.	Through gathering feedback from students, external examiners, alumni, employers and other relevant stakeholders.
The provision of academic and pastoral support provided by the Subject Group through staff being approachable and the effective operation of an 'open door' policy (paragraph 13)	Maintain existing procedures and reinforce the need to be seen to be responsive and helpful to students' academic and pastoral concerns	Continuing	Module leaders and year tutors	Positive feedback from students in module feedback and NSS results	Faculty Academic Strategy and Enhancement Committee.	Through feedback from students
The quality of written assessment feedback and the mechanisms to follow-up with one-to-one meetings (paragraph 14)	Maintain high standards and provide detailed constructive feedback, reinforced by provision of one to one feedback and	Continuing	Module leaders	Improvement in students' writing standards, students successfully obtaining internships, positive approval from external examiners	Faculty Academic Strategy and Enhancement Committee.	Through gathering feedback from students, external examiners, alumni, employers and

School enhancement plan: Law Subject Group, May 2013.						
	group feedback					other relevant stakeholders
The strategic approach to developing research adopted by the Subject Group (paragraph 25)	Delivery of talks, seminars, research days and promotion of the Centre for Mental Health Law and Incapacity Law, Rights and Policy, tying in with ENU's wider focus on scholarship in a wide sense, not just for REF but also for AACSB. Completion of doctorates by those members of staff not already undertaking them	Continuing	Jill Stavert	Publication of at least two refereed articles from each member of staff per year, or equivalent other publications suitable for the legal profession or legal education, or other significant contribution to legal scholarship	Faculty Research Committee.	Publication and admission of law to the next REF. Approval of publications within the area of law by AACSB.

School enhancement plan: Law Subject Group, May 2013						
Recommendations						
It is recommended that the School:	Action to be taken	Target date	Action by	Success indicators	Reported to	Evaluation
explore the feasibility of providing students with an opportunity to participate in presentation and mooting activities throughout their studies (paragraph 12)	Setting up of a new module for mooting and presentation skills	In place by September 2014	Nicholas Grier and the likely module leader, Duncan Spiers	Approval of the module and uptake by the students	School quality at its annual evaluation	Student feedback and programme feedback, together with external examiner approval
continue to monitor the provision of one-to-one assessment feedback and the induction programme provided to all of its students to ensure that full and part-time students have access to an equivalent learning experience (paragraphs 14, 15 and 16)	Ensuring that all lecturers make the opportunity of one to one feedback available to all students at times reasonably convenient to both parties	From the academic year 2013-14 onwards	All lecturers	High satisfaction levels indicated in student feedback forms and the NSS results	School quality as above	As in success indicators
working with faculty and school colleagues, continue to consider the development of a system to monitor the effectiveness of the quality of teaching (paragraph 17)	Instilling a culture of excellence in teaching and in concern for the student experience, reinforced by PDR objectives	Continuing	All lecturers	High satisfaction levels indicated in student feedback forms and the NSS results	School quality as above	As in success indicators

School enhancement plan: Law Subject Group, May 2013						
Recommendations (continued)						
It is recommended that the School:	Action to be taken	Target date	Action by	Success indicators	Reported to	Evaluation
continue to explore whether more use could be made of technology to enhance the student learning experience and that its use is applied consistently across all taught provision (paragraph 21)	Promotion of the uptake by academics of the many training courses in IT made available by the university to its employees.	Continuing	All lecturers	While “success” may not be appropriate here, greater use by all staff of IT where appropriate and helpful should be nurtured	School quality	PDR meetings can establish whether IT courses are being undertaken.
working with student representatives, develop and implement a mechanism for providing students with formal feedback on the action taken to address concerns raised by them at Boards of Study and student staff liaison committees and less formally (paragraph 23)	This is a matter being addressed at University and NSA level at the time of writing, with concern particularly being addressed to student attendance at such committees. It is proposed that the Law Subject Group should conform to the ultimate recommendations of the working group looking into matter.	Continuing	N/A	As per the working group’s recommendations	School quality	Student feedback