

Unit 3: Trading Standards Law Part 1

May 2024 Coursework

Coursework Medium:	Report
Word Limit:	2000 word (+/- 10% allowance)
Submission date:	1 March 2024

The following outlines specific information provided to the candidate on how for each area shown below, where the weighting on marks will be achieved.

Marking Guidelines:

Structure and reliability:	10%
Knowledge:	20%
Analysis:	65%
Research and referencing:	5%

The marking guidelines above provide you with an overview of the emphasis on what is important for the submission of your piece of coursework. At the end of this document is the specific assessment criteria being applied to your submission.

Ensure you have read through all areas within this document to ensure you fully understand what it is you have been asked. For guidance, refer to [the Stage 1 Coursework guidance](#)

Learning Outcomes:

Indicate the learning outcomes and areas of the syllabus you are seeking to examine within, for this submission piece.

Identify and understand the key UK consumer protection legislation that regulates the fair trading environment	✓
Explain due diligence and case law which has assisted with interpretation of the concept	✓
Understand the legislation which governs the activities of an investigation, both civil and criminal	✓
Understand the controls on disclosure of information when conducting an investigation	✓

Question:

Using an example of an investigation involving offences in legislation within the syllabus, where you have planned and executed investigative steps up to and including a suspect interview, produce a report explaining the following:

- a) The evidence required to prove the elements of the offence/s in question including a witness statement
- b) Your considerations when planning how to collect this evidence, and any limitations on what you were able to collect
- c) How powers were used to obtain evidence
- d) How did you plan and conduct the suspect interview?

Your report should include reference to any relevant **case law** or **guidance**, and evidence should include copies/excerpts of **actual** investigation reports, statements, notices and photographs. Documents should be appended but redacted where appropriate.

If you work outside of a local authority trading standards department, in a compliance role, where it fits against the coursework requirement, you may use a compliance issue which has occurred that has either been investigated internally only, or has involved the intervention/investigation of a TS department. It is understood that in both of these cases you may not be able to show that you have 'real life' experience of undertaking the activities. Therefore, your coursework should explain your involvement internally, but also provide narrative addressing the assessment criteria from a TS enforcement perspective, "as if" you were investigating as a TS officer would. For example you may not actually take a formal statement from a witness as part of your normal duties, but you may speak to various people concerned when conducting an internal investigation into a compliance issue, you can explain what you have done and attach any evidence, but also explain how a TS officer would have gathered the evidence in a formal witness statement, could you write up your findings in the form of a witness statement as an investigating officer would?

Commented [PS1]: I like this, it will help non-TS staff and overcome the inequality they can currently face

Assessment Criteria:

	Skills to be demonstrated	Marking requirements	% of marks
1.	Identify the evidential requirements necessary to prove criminal offences beyond all reasonable doubt	Correct identification of all relevant offences Identification of the evidential requirements necessary to prove criminal offences Explanation of different types of evidence that could be collected and how the required evidence was to be collected Evidence collected, retained and produced in line with the rules of evidence Ability to take or write a witness statement	25
2.	Use of powers	Accurate identification of appropriate enforcement powers to be used Consideration of importance of correct use of powers	20

		Explanation of any procedures to be followed when exercising powers Documentation showing evidence of powers exercised during course of the investigation	
3.	Suspect interviewing - Use a suitable model of questioning that enables the facts of the case to be established, to explore any due diligence defence and establish any mitigating circumstances	Consideration of different types of interview and reasoned argument for chosen approach Knowledge of different types of questioning/ interviewing models Preparation of interview plan based on evidence collected Application of the requirements of the Police and Criminal Evidence Act 1984	20
4.	Structure and reliability	Report presented with a clear and logical structure Evidence presented to demonstrate skills is valid and authentic	10
5.	Knowledge	Understanding of the relevant legislation, case law and available guidance for the potential offences and investigatory practice	20
6.	Research and Referencing	Is any research you have carried out accurate and any referencing correct?	5

Use of attachments

Please attach any documents that are relevant to the work that you undertook and that you are reflecting upon in this Report. These will not be included in the word count of your Report the supporting document will not be recognised within the marking system.

GDPR and compliance process

You may provide supporting documents with your submission, where appropriate. For example, a prosecution report. Submissions with supporting documentation will only be accepted where any information that falls within GDPR is:

- anonymised; or
- if necessary, replaced with Person A / Company A etc.

For any submission that includes information that falls within GDPR regulations, the above process must be followed. Where an individual can be identified either directly or indirectly from that data held this data must

be anonymised. Where a submission contains information that falls within GDPR, it will be rejected and you may be withdrawn from the examinations.

If the information is within the public domain, this is unnecessary.

Please ensure that you do not identify, by name, businesses or individuals involved, in line with your responsibilities under data protection and trading standards legislation.

Coursework submission

Coursework submission guidance can be found on the CTSI website under the ['Coursework – SharePoint Guide'](#). This outlines the process of submission of coursework for all of Stage 1.