

CTSI Professional Competency Framework (CPCF) written examination

Unit 2: Business and Consumer Legal Framework

September 2020

Guidance for this examination

Please ensure that you indicate, by ticking (✓) the relevant box on the front of your examination booklet, the legal viewpoint from which you will be answering: English, Scottish or Welsh.

The examiners may expect candidates to show knowledge of legislation which is in place but not in force (i.e. has been enacted) and regulations which have been made but are not yet in force, if they are directly relevant to the subject-matter of the examination.

Examination structure

There are two sections to the examination paper:

Section A Consists of six questions.
Candidates should attempt to answer three questions.
Total allocation of marks is 30.
Suggested time allocation is 30 minutes.

Section B Consists of four questions.
Candidates should attempt to answer two questions.
Total allocation of marks is 70.
Suggested time allocation is 90 minutes.

Total time allowed – two hours (plus ten minutes' reading time).

Note:

The Business and Consumer Legal Framework paper is a **closed book**; no materials are permitted to be taken into the examination room.

The examination paper has four pages, including this front sheet.

Section A

Candidates should **attempt to answer three questions.**

Each question carries ten marks.

Total: 30 marks.

1. Using examples, explain what is a 'super-complaint' and which organisations would take any action concerning such a complaint. (10 marks)

2. Regulatory teams sit within local authorities.
 - a) Briefly discuss how this can vary across different areas. (3)
 - b) Using examples, briefly explain the difference between the statutory and non-statutory functions carried out by regulators. (3)
 - c) Briefly explain how this can be affected by devolved Government in respect to consumer protection. (4)(10 marks)

3. Drawing on two different examples and using case law to support your answer explain the concept of assured advice under the Primary Authority system and how this differs to other advice trading standards officers may provide to businesses. (10 marks)

4. In the UK there are a number of different types of business entity. Briefly explain what these are and how they differ. (10 marks)

5. Briefly discuss the benefits that membership of a trade association could provide to a business. (10 marks)

6. Briefly explain how you can obtain feedback from those you regulate and the value this will bring to your service. (10 marks)

Section A: total of 30 marks.

End of section A

Section B
Candidates should **attempt to answer two questions**.
Each question carries 35 marks.
Total: 70 marks.

7. You are a trainee trading standards officer at Blankshire County Council. Your colleague, a qualified officer, has asked you to assist with a visit to Soggy Sandwiches, a small local shop, following complaints from local consumers about a lack of information in the shop.

a) Explain what you will need to do to ensure you are fully prepared for the visit.

(15 marks)

Once you have obtained the information required to prepare for the visit, you and your colleague enter the shop at midday. The shop is very busy. Your colleague pushes through to the front of the queue and demands to speak to the manager immediately about a number of complaints that have been received. The manager asks you both to return later that afternoon but your colleague refuses and shouts at the manager that it is her responsibility to comply with the law.

b) With reference to any guidelines and relevant legislation, discuss if there was anything wrong with the visit and what could have happened differently.

(20 marks)

(Total 35 marks)

8. Your cabinet member has requested a briefing document about the different trader approval schemes that seem to be available.

a) Explain how you will research the different trader approval schemes.

(15 marks)

b) Drawing on your research, write a briefing document detailing the different options available, and the advantages and disadvantages of three different types of scheme.

(20 marks)

(Total 35 marks)

Section B continues over the page

9. The Office for Product and Safety and Standards (OPSS) interacts with trading standards in many ways.

a) Using examples discuss the different functions of OPSS.

(15 marks)

b) Drawing on the examples you have used in part a) above, explain how the different functions of OPSS assist the work of trading standards and discuss the benefits or drawbacks that may occur as a result.

(20 marks)

(total 35 marks)

10. You are a trading standards officer in Anywhere County Council. Your head of service has asked you to prepare a briefing document about the work of the National Trading Standards Scams Team, and how your authority could engage with and benefit from this work. Draft a briefing document outlining the work of the national team, the benefits of engaging with this work and any drawbacks you consider relevant. Clearly summarise your recommendations.

(35 marks)

SCOTTISH CANDIDATES ONLY

You are a trading standards officer in Anywhere County Council. Your head of service has asked you to prepare a briefing document about the work of Trading Standards Scotland, and how your authority could engage with and benefit from this work. Draft a briefing document outlining the work of the national team, the benefits of engaging with this work, and any drawbacks you consider relevant. Clearly summarise your recommendations.

(35 marks)

Section B: total of 70 marks

End of section B

END OF EXAMINATION PAPER