

BAR STANDARDS BOARD

REGULATING BARRISTERS

Bar Professional Training Course University of West of England Report of Monitoring visit, 7 March 2013

Name of Institution	Date of Visit/Meeting
University of West of England	7 March 2013
Title of Course/award	Previous course
Bar Professional Training Course	Bar Vocational Course
Numbers/modes approved	Dates of course
120 full-time 48 part-time	September 2012 – July 2013
Panel Members	Role and area of primary responsibility
Professor Mike Molan (Chair)	Legal Academic, Member of BPTC Sub-Committee, Chair of the Central Examinations Board (CEB).
Professor Stuart Weinstein	Lay (Legal Academic), Associate Head of University of Hertfordshire School of Law
Ben Wood	Barrister and member of BPTC Sub-committee
Dr Simon Thornton-Wood	Head of Education and Training
Tiffany Searle	Education Officer, BSB
HEI Team	Role and area of primary responsibility
Dr Jane Harrington	Pro Vice Chancellor and executive Dean of the Faculty of Business & Law
Dr Noel Burchell	Executive Dean of the Faculty of Business & Law (Planning and Resources)
Mr Steven Dinning	Head of School of Law
Mr Philip Millington	Associate Head of Bristol Institute of Legal Practice, Professional Courses
Miss Delyth James	Principal Lecturer in Law, FT Course Manager
Ms Joanne Stringer	Senior Lecturer in Law, PT Course Manager
Mrs Karen Thorpe-Williams	Senior Lecturer in Law, BPTC Support Manager FT & PT)
Mr Tim Felton	Senior Lecturer in Law
Mr Richard Herbert	IT Manager
Ms Mayleen Jalleh	Senior Lecturer in Law

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Mr Shomon Khan		Senior Lecturer in Law
Victoria Latimer		Associate Lecturer
Mr James Lloyd		Senior Lecturer in Law
Mrs Lucilla MacGregor		Senior Lecture in Law
Mr Ian Thompson		Principal Lecturer in Law

Context: The HEI/Provider

The University of the West of England (UWE) ran the Bar Vocational Course from 1997-2010. The first cohort for the new BPTC course commenced in September 2010 at the Frenchay Campus.

In AY 2009-10 a monitoring visit took place on 3 March 2010. The present monitoring visit took place over one day and included 1 class observation, a meeting with students, a tour of resources, and separate meetings with both teaching staff and management.

The visit was to the full-time course, observing only full-time students and a mid-week LGS, no SGSs were observed due to logistical constraints. Any general comments relating to teachers and students in this report should be read as referring to the full-time course only.

1. Adherence to course aims, philosophy and standards

Adherence to the aims, philosophy and standards of the Bar Professional Training Course appeared to be sound. Comments regarding specific areas for improvement are detailed in the recommendations below.

2. Quality management systems

There were three Staff Student Liaison Meetings (SSLM) during the academic year 2011-12 for both the full-time and part-time BPTC students. All three meetings' minutes were available in the AMR showing clear responses and actions to all issues raised. The management highlighted that there were no recurring issues that arose, showing the students were satisfied with the action taken after previous SSLMs. The students that were interviewed said the staff were very responsive to the issues raised through SSLMs and Student Union.

The External Examiner reports are sent to the programme leaders and are reviewed. Any issues arising from the reports are considered and action is taken if needed. It was mentioned that not all options are moderated.

The panel **recommend** that the management should ensure a satisfactory process for option moderation is in place.

3. Staffing and staff development

The number of teaching staff is being reduced for the next academic year due to the reduction in student numbers. The management will ensure that they will still comply with the staff student ratio set by the BSB.

Each member of the teaching team are encouraged to shadow a practitioner for three days each year. The quality of the experience is not judged and the scheme is not monitored. It was noted that the BPTC tutors are mainly exclusive to the programme but some do cross into LLB and LPC.

A workload management system is in place at the higher University level, consisting of workload bundles. A target has been issued which affects the BPTC staff individually. There is cause for concern that the university has not realised the uniqueness of the BPTC as the course has very strict requirements such as smaller groups.

The panel **recommend** that the management demonstrate evaluation of staff development and how it supports delivery of the course.

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The panel **recommend** that the management look at the staff workload allocation system to see whether it accurately reflects the nature of BPTC teaching, bearing in mind preparation and marking.

4. Curriculum content and structure

The students interviewed explained how a real exam was scheduled for the same day as a SGS. This was changed immediately but the timetable should be arranged more appropriately in the future. It came to the panel's attention that if you miss a class due to a mini pupillage, you are marked as absent. The reason is only taken into consideration if there are too many absences.

The panel **recommend** that the policy for marking students as 'absent' even where they had permission to attend another group should be queried.

5. Admissions and student profile

The management explained that this academic year there are 75% non-EU and 25% EU students, which is very uneven and indeed has caused a few problems. They reported that their target student balance is at least 50% 'EU' representation. The BPTC admissions were centralised within the university for this year's intake, therefore creating an issue with the quality of recruitment. The panel were assured that faculty based admissions were being reintroduced to address the problem.

Due to the centralised admissions policy for the full-time course this year, students have been enrolled who have struggled with the English Language level required for the BPTC. In total 18 students were identified with 3 being asked to take the IELTS if they didn't show substantial improvements. None of the students were removed from the programme in the last year. The panel were assured that changes in recruitment gave the management team confidence that this will not be an issue for next year.

The panel **recommend** effective compliance with BSB IELTS requirements. The panel found clear evidence that this had impacted on learning for some students.

6. Teaching and Learning (knowledge and skills areas)

The teaching staff expressed the view that the syllabus for the centralised modules (Ethics, Civil Litigation and Criminal Litigation) was too large. The panel reported that this feedback had been received elsewhere and the matter was under review.

The statistics presented in the AMR (page 16) show that a large number of Asian students were marked as 'Not Yet Competent'. The issue was raised during the monitoring visit and highlighted as an issue which should be addressed.

The students interviewed felt that they have suffered in the practical sessions due to poor student preparation. There is thought to be inconsistency amongst the tutors in the penalties they impose as a consequence.

All the information surrounding the options was available to students apart from Commercial Law. The options were allocated by a first come first served basis which was advertised in advance. International trade was an extremely popular choice for international students. A separation seemed to occur between options for international and EU students. It was reported that a reduction in student numbers for next year will make it easier to manage uptake of options.

The panel **recommend** that a more pro active learning and teaching strategy should be developed to address the first sit passing rate and pockets of 'not yet competent' performance - especially amongst Asian students .

The panel **recommend** that consistency of approach from tutors is reviewed in response to students not being prepared for classes.

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The panel **recommend** keeping under review the relevance of options to practice and their consistency with the overall objectives of the BPTC.

7. Standards and assessment strategy and methods (including progression data)

Most of the students attempted the mock exams and found them useful. The mocks were completed under exam conditions and are compulsory. The ReDOC papers, Opinion Writing and Drafting were individually graded and other modules had a feedback session on the exam paper. The Ethics MCQs and SAQs were marked by the students in a group session. If a student does not attend a mock exam they are marked as absent. The students found the time pressured practice very useful.

8. Student support and quality of student experience

The students generally think that the course at UWE is excellent value for money, especially for international students who intend to return to their country. Although an English Language problem was identified this year, extra support has been provided for these students to allow them to continue.

The student interview highlighted that due to the large number of international students there is less engagement with the extracurricular activities such as *pro bono* and careers sessions this year. This does give the home students more opportunity to get involved in these activities but then creates a divide in the student cohort. Ex-students have come in to do talks and the students contact their Inn representatives for careers advice.

The panel **recommend** that the balance of EU/non EU students and implications for the home student experience should be reflected upon - the stated purpose of the course may be at odds with the intentions of the majority of students on it. The admissions process should be reviewed.

Bearing in mind the large overseas contingent, the panel **recommend** the take up of extra curricula activities should be reviewed. There was evidence that some students were disinclining to participate, with an impact on the learning experience of the group as a whole.

9. Learning resources (Library and IT)

During the monitoring visit the panel were given a tour of the library, mock court rooms and Law base rooms. The library is open 24-7 and has a large Law section which is used by all Law students (800-1000 LPC, BPTC, LLM and LLB students). There are also substantial online resources available too. During the library tour a panel member noticed that the library stock contained out of date Law resources.

The students reported that the VLE system works well and the learning resources were very good. The social space is sufficient and BPTC students have allocated rooms for study.

The panel **recommend** a consistent system of weeding the library stock in collaboration with teaching staff is needed to avoid the availability of out of date material.

The panel **recommend** the suitability of the LGS space should be reviewed as the session attended on the visit was not raked, was stuffy and had poor acoustics.

10. Equality and diversity

UWE is committed to promoting equality and diversity for all: its mission statement is to recognise the value of a truly diverse workforce and student body and the contribution that every individual can make; to create an environment that respects the diversity of staff and students and enables them to derive maximum benefit and

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enjoyment from their involvement in the life of the University. The University promotes this mission statement through the dissemination of good practice to staff & training events.

The University benefits from extensive student support services and is able to cater for students from all backgrounds and needs.

Good practice, distinguishing features

1. Organisation of visit and supporting documentation
2. Openness and transparency
3. Quality of teaching
4. Availability of staff
5. Structure of course – students put theory into practice
6. Responsiveness to student issues
7. Range of extra curricula opportunities
8. Links with local Bar
9. Timetable structure- keeping Friday clear and level of contact time
10. Mock court room 1 was impressive as were the library and study spaces
11. Students felt the course was good value for money
12. Mocks seen as compulsory with effective feedback available

Conclusions: recommendation on accreditation/approval/continuing approval

Continuing approval (with recommendations)
For the period: 2013-2015

Recommendations	
Recommendation 1	The balance of EU/non EU students and implications for the home student experience should be reflected upon - the stated purpose of the course may be at odds with the intentions of the majority of students on it. Returning control of BPTC admissions process for overseas students to the Faculty should be considered.
Recommendation 2	Effective compliance with BSB IELTS requirements. The panel found clear evidence that this had impacted on learning for some students.
Recommendation 3	Develop a more pro active learning and teaching strategy to address the first sit passing rate and pockets of not yet competent- especially Asian students which is highlighted in the AMR (page 16).
Recommendation 4	Ensure a satisfactory process for option moderation is in place.
Recommendation 5	Review effectiveness of peer observation system that is not open to management. How can you know what is required and what works if this is not communicated?
Recommendation 6	Ensure timetable planning avoids clashes between classes and assessments.
Recommendation 7	Consistency of approach from tutors should be reviewed in response to students not being prepared for classes.
Recommendation 8	Demonstrate evaluation of staff development and how it supports delivery of the course.
Recommendation 9	Bearing in mind the large overseas contingent, the panel recommend the take up of extra curricula activities should be reviewed. There was evidence that some students were disinclining to participate, with an impact on the learning experience of the group as a whole.
Recommendation 10	Look again at the staff workload allocation system to see whether it accurately reflects the nature of BPTC teaching, bearing in mind preparation and marking.
Recommendation 11	A consistent system of weeding the library stock in collaboration with teaching staff is needed to avoid the availability of out of date material.
Recommendation 12	Query policy for marking students as absent even where they had permission to attend another group.
Recommendation 13	Review suitability of the LGS space as the session attended on the visit was not raked, stuffy and had poor acoustics.
Recommendation 14	Keep under review the relevance of options to practice and their consistency with the overall objectives of the BPTC.

Response by the Provider (maximum one page)
<p>Quality management systems (Section 2) Option moderation was in place for the July and October Board assessments even where there was only one tutor for an option (the cause of concern for external examiners only related to options taught by one tutor). These option moderation processes instigated this year will continue.</p> <p>Staffing and staff development (Section 3) The statement: <i>“The numbers of teaching staff is being reduced for the next academic year due to the reduction in student numbers”</i> does not accurately reflect the position for the September 2013 cohort. It is accepted that there has been a planned reduction in numbers of the student body for 2013-14. The reasons for this reduction are two-fold: firstly to address issues surrounding the calibre of the student body as mentioned elsewhere in the report; and secondly to ensure that early retirement of staff under a University wide restructuring scheme did not impact detrimentally upon the teaching load and ratio of staff to students set by the BSB.</p> <p>The workload management system that operates within the University has been adapted to recognise the uniqueness of teaching on the BPTC in particular the teaching of subjects in small groups of 6 and 12 and the preparation and marking load of tutors on the BPTC. The Model as it relates to the BPTC remains under review. We are also working to increase staff awareness & understanding of how the system has been</p>

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adapted to take account of BPTC staff workloads.

Curriculum content and structure (Section 4)

Whilst it is appreciated that the Blue Book does allow for discretion in relation to being marked absent due to attendance on mini pupillages, it is suggested that the subjective decision as to what does and does not constitute good reason for absence should be left to any attendance meeting should the student exceed the 90% absence rule. There is potential for students to book numerous work related activities during classes but still be marked as present when they have not achieved those learning outcomes. It is also suggested that the subjective decision of what is and is not a good reason to be absent should not be left to individual tutors but to those presiding over any attendance meeting to ensure clarity and consistency for students, to ensure they know where they stand with the requirement, and to ensure students continue to take the attendance requirement seriously.

Admissions and the Student profile (Section 5)

Language issues that occurred last year have not recurred this year (2013-14) due to a stricter admissions policy). It is worthy to note that the three students referred to in Box 5 all successfully completed the BPTC in 2012-13.

Teaching and Learning (Knowledge and skills areas) (Section 6)

It is suggested that the comment relating to the statistics included within this section fits more appropriately within the section dealing with admissions. Moreover the issue is appropriately addressed through a change to the admissions policy; rather than the teaching & learning strategy of the course.

Teaching staff cannot single out certain groups of students for additional teaching. All students obtain high level of support by way of the personal tutor system in place and an area of good practice highlighted in the report relates to the quality of the teaching and the availability of staff. There is support available to all students by way of language support classes and students are encouraged to take these extra-curricular activities if the need arises (please see section 8 in addition).

Consistency of approach from tutors in relation to students not being prepared for class has been addressed in 2013-14 and students have been advised of the approach that is being taken by all tutors.

Student support and the quality of the student experience (Section 8)

It is worthy of note that the qualification of the BPTC is held in high regard internationally.

An International element has been introduced into the careers programme offered to students in 2013-14. All students appear to be engaging well with the extra-curricular activities (including pro bono work available) and the careers programme.

Learning resources (Library and IT) (Section 9)

A consistent system of weeding the library stock has been implemented for 2013-14.

It should be noted that the lecture theatre visited by the panel was not the designated lecture theatre for the BPTC and was only used because of a late change in the schedule to include an additional lecture for revision purposes. The designated lecture theatre is raked and has good acoustics. All lectures in 2013-14 are recorded for students benefit