Qualifications Framework

Stage 1: Unit 2 Business and Consumer Legal Frameworks

Written Examiner's Report May 2024

General
21 candidates sat the Unit 2 examination paper this year and all candidates achieved a pass mark or higher, which was fantastic to see. Congratulations to you all!

The marks for the Unit 2 May examination cycle ranged from 46% to an outstanding 84%.

There were some impressive answers to the questions set and many candidates clearly demonstrated their knowledge across the breadth of the syllabus, which was fantastic to see. As outlined in the previous examiner report, candidates who obtained lower marks need to ensure they are answering all parts of the question and not repeating examples in a different way, as this will not gain any marks. Some answers provided lacked detail or did not address the question set. Candidates are reminded to use the marking scheme to help guide them as to the level of detail that is required for each question.

Section A

Q1
This question was chosen by 10 candidates and the marks awarded were between 7 – 10, with most candidates scoring highly.

Part (a) of this question required the candidate to define the term hazard, which most candidates easily achieved and addressed with definitions such as 'anything with the potential to cause harm.' The question then asked for two examples of hazards to be given, which gave a wide range of options for candidates to choose from and most candidates achieved full marks for this part of the question.

Part (b) was well answered by most candidates and high marks were easy to achieve if candidates provided an explanation of the term harm, such as 'an adverse impact on individuals, businesses or the environment' and identified two relevant factors.

Finally, part (c) of the question asked for an explanation of what a risk matrix is and what they are used for. Most candidates clearly understood what a risk matrix was, but some candidates only explained what they are and not what they are used for. A careful reading of the question would have helped with this, but the examiner appreciates that this can be difficult when candidates are under time pressure.

Q2
This question was very popular and was attempted by 18 candidates. The marks given were between 4 and 10.

Stronger answers to this question for part (a) discussed the factors such as the legal duty for Local Authorities to support economic growth, the Regulators' Code requirements, addressing non-compliance and the advantages

for businesses and consumers, enforcement policy requirements, the cost effectiveness of these options rather than prosecutions or other forms of enforcement and fostering good working relationships between Trading Standards Services and businesses.

For part (b), candidates were required to provide two examples of resources that can be used to advise and support businesses and explain how they are used. Candidates who fully addressed this part of the question achieved full marks. Marks were lost where the candidate only identified the resources but did not then go on to explain how they could be used.

Q3
14 candidates selected this question to answer. The marks achieved were between 7 and 10.

This question focused on the candidates' knowledge and understanding of self-regulation and the advantages and disadvantages of self-regulation. Most candidates provided excellent answers to this question and had a good understanding of self-regulation and provided three advantages and three disadvantages. Marks were lost by some candidates in the explanation of self-regulation, which was too brief to earn all four marks available for the explanation.

Q4
This was a less popular question with 3 candidates choosing to answer it. The range of marks achieved were between 4 and 9.

Candidates achieved good marks where they addressed all parts of the question and outlined the role of the Food Standards Agency or Food Standards Scotland, before going on to provide examples of how they work with Trading Standards Services. Candidates discussed facts such as the purpose of protecting public health, use of scientific services and research, food and feed work and dealing with incidents, as well as advice and guidance to Trading Standards Services and free training. The answers given varied depending upon which region the candidates were based in, due to the different relationships across the UK and candidates demonstrated good knowledge of this.

Q5
This question was a popular choice with 17 candidates electing to answer it. Marks awarded ranged from 5 – 10.

Two marks were awarded for advantages and two marks were given for disadvantages. That left six marks available for candidates to set out the main features of a Public Limited Company (PLC), such as the formation requirements of the Company, the requirement to issue at least £50,000 in shares, needing two Directors, a Company Secretary, the ability to raise funds via the stock market if they wish to, managed by a board etc. Most candidates did an excellent job at describing the features of a PLC, which was pleasing because business entities are a detailed area of knowledge on the Unit 2 syllabus. All future candidates should therefore ensure they have a good knowledge in this area when undertaking their Unit 2 examination. Marks were lost where candidates did not provide sufficient detail when explaining the features of a PLC.

Q6
This was not a popular question, with no candidate electing to answer it.

This question was widely worded to enable candidates to choose examples from any part of the UK. To achieve good marks for this question, candidates would have needed to explain the role of LGA (England), WLGA (Wales), NILGA (Northern Ireland) or COSLA (Scotland) and discuss their role in acting as the voice for Local Authorities and lobbying UK Government. Examples candidates could have given include the work carried out during the Covid 19 pandemic in reports issued by COSLA and WLGA, and the spending review report issued by the LGA, all of which relate to Trading Standards work.

This question was asking candidates to firstly explain why criminal prosecution is not always the best approach when dealing with non-compliances. Some candidates provided a very good discussion for this part of the question, but others didn't address it, which resulted in a loss of marks. Strong answers explored the costs involved, relationships, proportionality and reasonableness, enforcement policies, Regulators' Code, mitigating and aggravating factors, evidence, factors such as repeat offenders, attitudes to compliance, business history, risk etc.

The question then required candidates to discuss the other options available and to provide examples of situations where they may be more suitable courses of action. Marks were lost in this part of the question where candidates simply listed alternative options and did not provide examples of when they were likely to be more suitable options than criminal prosecution. Candidates who achieved higher marks for this question outlined different alternatives including Part 8 of the Enterprise Act including undertakings and enforcement orders, fixed-penalty notices, simple cautions, providing advice and guidance, training etc. They also provided good examples of when these are likely to be used and why they would be more appropriate options. Some candidates did not provide enough detail in their answers for a question which is worth 35 marks.

Q10
This question was answered by one candidate.

This question was a good choice for candidates who were familiar with the Better Business for All toolkit. Describing the ten steps in the toolkit and the resources provided within it would achieve full marks for this question. The toolkit can be located here: https://www.gov.uk/guidance/better-business-for-all.