Postgraduate Diploma in Arbitration

Course Specification
[October 2013]

Postgraduate Diploma in Arbitration

Awarding Institution: The College of Estate Management
Teaching Institution: The College of Estate Management
Programme length: 2 years
Date of specification: October 2013
Course Leader: Jonathan Tecks
Board of Studies: The College of Estate Management Postgraduate Board of Studies
Recognition: Chartered Institute of Arbitrators

Summary of Programme Aims

It provides a combination of academic knowledge and professional skills commensurate with a postgraduate award. It provides an opportunity to attain these skills for those who cannot, or choose not to, give up full-time work. It is ideal for those whose work brings them into contact with dispute resolution and gives an insight to the resolution process from the standpoint of the resolver. As such it enhances career prospects as a party advisor and gives an opportunity to progress to taking on the role of an arbitrator. It is a structured programme which nevertheless provides flexibility to the student.

Transferable skills

By the end of this Programme, students will have developed their skills relating to self-discipline, self-motivation, time management, communication, information handling, and problem-solving.

Programme content

The course was specifically designed to meet the requirements for entry to and progression through the membership grades of the Chartered Institute of Arbitrators. The syllabus is therefore dictated by the Chartered Institute, as are the pass marks. There are 4 modules; successful completion of the assignments in Module 2 enables the student to apply for ACIArb; successful completion of the 2 modules in Part 1 enables the student to apply for MCIArb; successful completion of the 2 modules in Part 2 enables the student to apply for FCIArb.

Programme of Study

PART 1 Compulsory modules		Credits	FHEQ Level
Mod Code	Module Title		
A101CTE	Contract Tort and Evidence	35	7
A102LAW	Law of Arbitration	25	7

PART 2 Compulsory modules		Credits	FHEQ Level
Mod Code	Module Title		
A203LPA	Arbitration Practice and Procedure	25	7
A204AWD	Drafting and Award Writing	35	7

Progression requirements

Both modules at Part 1 must be passed before Part 2 can be commenced

Summary of teaching and assessment

It is a distance learning programme which must meet the requirements of the Chartered Institute and so there is limited scope for innovative forms of assessment. As it is vital for students to be able to resolve disputes the majority of the assessed work is problem based.

The examinations for Module 1 are closed book. The students can take an unmarked copy of the Arbitration Act 1996 into the examination for Modules 2 and 3. The examinations for Module 4 are open book.

There are 4 assignments and 2 examinations for Module 1.
There are 2 assignments and 1 examination for Module 2.
There are 2 assignments and 1 examination for Module 3.
There are 4 assignments and 2 examinations for Module 4.

Admission requirements

Applications will be considered from candidates who:
- are Associates of the Chartered Institute of Arbitrators; OR
- are Members of the Chartered Institute of Arbitrators; OR
- possess a degree from a recognised institution of higher education; OR
- have been admitted as a member (other than a student member) of a recognised professional body; OR
- can demonstrate by age and experience their suitability to undertake the course.

Support for students and their learning

All students are eligible to become student members of the Chartered Institute of Arbitrators which will give them some access to information. However, most support is provided independently by the College of Estate Management.

The College has now adopted the *Moodle* software package as a means of delivering courses on-line. This *Virtual Learning Environment* has been developed as a means of providing course content and information to students. It is also used to expand the interaction between students and tutors as well as students and their colleagues. The *Gateway to Learning* portal on the VLE sites provides access to thousands of property and construction related texts, including University of Reading research materials. Students can also access hyperlinks to *Athens*, which includes the specific legal research tools of Justcite and Westlaw as well as iSurv, EGi and *Amazon* academic booksellers.

Student guidance and welfare support is provided by the Programme Leader and Programme Administrator. In addition there is a *Special Needs* advisor.

Career prospects

Arbitration is a secondary profession. Students should not expect to gain appointments from this course alone. Nominations will usually come via their primary professional body or through membership of the Chartered Institute of Arbitrators.

Educational aims of the programme

To provide students with sufficient academic and practical knowledge to operate effectively as a Fellow of the Chartered Institute of Arbitrators. To give the students insight in to the work of a dispute resolver so that they can initially use their professional knowledge to provide effective advice and representation to parties involved in the dispute resolution process. To build a foundation of knowledge and skills that will enable them to progress to Chartered Arbitrator.

Programme Outcomes

Knowledge and Understanding

A Knowledge and understanding of: 1. The formation and operation of a valid contract. 2. The discharge of a contract and remedies for breach. 3. The law of tort and particularly the tort of negligence. 4. The statutory underpinning of arbitration as a method of dispute resolution. 5. The requirements for an enforceable award.	***Teaching/learning methods and strategies:*** Acquisition of knowledge is promoted through distance education resources including customised text material, core textbooks, recorded visual material, web-based material and communication channels. These are complemented and supplemented by interactive sessions. ***Assessment*** Students are required to complete extensive pieces of coursework and are examined in each of the modules.
B Intellectual skills – able to: 1. Integrate theory and practice. 2. Collect and synthesise information from a variety of sources. 3. Analyse and interpret evidence. 4. Think logically and critically. 5. Recognise, solve and advise on problems. 7. Plan, execute and write a reasoned decision based on the evidence presented.	***Teaching/learning methods and strategies*** These skills are developed through prescribed reading, coursework and detailed feedback. The reading includes core texts, papers and relevant web-based material. Coursework varies across the modules but collectively covers all of the skills. Feedback includes direct coursework comment, e-mailed advice and web-based answer guides. Web-based discussion between tutors and students is also facilitated. ***Assessment*** Intellectual skills are assessed through coursework essays, problems unseen examination and simulated award writing exercises.

C Practical skills – able to:

1. Read, absorb and evaluate large amounts of data.
2. Précis large amount of data so that is in a manageable form.
3. Collect, record, analyse and present material.
4. Write concise and precise English.

Teaching/learning methods and strategies

These skills are mainly developed through the assessments. Detailed guidelines are provided and explained.

Assessment
Relevant assessment of these skills is undertaken mainly though module coursework.

D Transferable skills – able to:

1. Solve problems.
2. Manage their time.
3. Communicate effectively.
4. Demonstrate literacy.
5. Demonstrate IT skills.
6. Learn autonomously.
7. Demonstrate numeracy.
8. Undertake research.

Teaching/learning methods and strategies
Problem-solving skills: these are central to all modules but are essential for the Drafting and Award Writing module where students have to resolve the issues presented.

Time management skills: these are developed through the planning of timetables for reading, assignment work, and exam revision. Students are given extensive advice on these skills in their Course Handbook. Their programme of study, prescribed in each set of course materials provides a framework in which they can organise necessary study tasks.

Communication skills: whereas oral communication is limited by the medium of the Programme, written communication is central to the success of students in the Programme.

Literacy and Numeracy: these not only relate to desirable minimum requirements for the Programme but are skills that are encouraged and developed through assignment tasks and tutor feedback on style as well as content. There is limited need for numerical skills, but examples will require calculation of quantum, costs and interest. Guidance on the nature of these formats is provided throughout the course.

IT skills: all students are expected to have access to PCs, e-mail and the internet. The Programme is supported by the open areas of the College web-site, but more importantly, by the dedicated course-specific Moodle site. There are many discussion forums established on the Moodle site with plans to encourage their regular use.

The course materials on the Drafting and Award Writing module include accompanying CDs.
Students are given the option of submitting their course material by e-mail. This necessitates familiarity with Word for text and Excel for organisation of evidential materials. The College web-site has continued to expand and students are encouraged to access both feedback on coursework, and on-line power-point presentations. Support and advice on IT aspects of the course is available to students.

Autonomous Learning: this is naturally developed throughout the Programme.

Research skills: these are naturally developed throughout the Programme.

Assessment
All these skills are assessed throughout the programme with specific emphasis on problem solving, communication and literacy.