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| **Module and title:**  | Introduction to Law and Statutory Requirements | **Module leader:**  | Majid Fesharaki |
| **Assignment No. and type:**  | Report on law, contracts and statutory requirements | **Assessment weighting:**  | 100% |
| **Submission time and date:**  | **Monday 17th April 2023** before **23:59** | **Target feedback time and date:**  | 3 weeks from the date of final submission  |

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| **Assignment task** |
| This assignment involves preparing a 4000-word report which demonstrates your engagement and learning with key areas of law and statutory requirements in the construction industry. It will also demonstrate your knowledge of the fundamental legal principles and procedures and of legal precedent for construction law and adjudication practice. |

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| **This assignment has been designed to provide you with an opportunity to demonstrate your achievement of the following module learning outcomes:**  |
| LO 1  | Identify and explain the legal and statutory requirements relevant to the construction industry, including health safety and welfare. |
| LO 2  | An understanding of the methods and management tools used to monitor and develop projects from a legal and statutory perspective and highlight the developments and associated issues. |
| LO 3  | Knowledge of the law of tort, legal principles, procedures, and requirements in relation to the construction sector. |
| LO 4 | Knowledge of legal precedent for construction law and adjudication practice. |

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| **Assignment task(s) requirements:**  |
| You are required to produce a report that highlights relevant areas of law and statutory requirements relating to health and safety and the legal constraints throughout the design and development process that are applied in the built environment sector. In addition, your report should discuss the methods used for managing, monitoring, and developing projects from a legal and statutory perspective.  **Note:** When developing your report, you must refer to *Construction law in the UK. Where you are required to discuss a case study (Tasks 2 & 3).* You should focus on projectswhere it has been involved in negligence claims and possibly court procedures. The report will be submitted in written format of approximately 4,000 words (**excluding references and the appendix**). Particular attention will be on providing:   1. An Introduction (≈ 350 words)
2. The Main Sections of the Report addressing:

**Task 1:** Outline of the legal and statutory requirements relevant to the construction industry in the UK (≈ 850 words)* Discuss the key legal and statutory requirements including the common legal structures of construction companies using the appropriate terminology.
* Highlight the importance of health and safety and its application to the design and management of construction projects and include the liabilities and responsibilities of main parties involved in ensuring health and safety and welfare regulations are adhered to during the various construction stages.

**Task 2:** Use a case study\* to discuss methods and management tools used to monitor and develop projects from a legal and statutory perspective and highlight the developments and associated issues. (≈ 850 words)* Discuss management and tools use to develop and monitor projects in legal and statutory perspective.
* Using an appropriate case study, highlight various management tools and techniques commonly used in construction projects.

\*Students need to select a case study and agree with their lecturer in week 2.**Task 3:** Select a scenario (case study\*) in a construction project that is referred to law of tort. You need to address the following questions: (≈ 850 words)* + 1. What went wrong in that project? Indicate the type of negligence?
		2. What are the contractors/client’s rights?

For this task you need to demonstrate your knowledge of law of tort, legal principles, procedures, and requirements in relation to the construction sector.\*Students need to select a case study and agree with their lecturer in week 3 **Task 4**Discuss legal precedent for construction law and adjudication practice. (≈ 750 words)* 1. Discuss legal precedent procedures in construction law (England)
	2. Explain at least 3 common area that *Adjudication* is appropriate for construction dispute? Support your discussion with examples.
1. A Conclusion (≈ 350 words)
2. A Reference List

During the preparation of your report, you will need to pay particular attention to the following:  1. Provide a clear structure (using headings and subheadings) as explained in the assignment guide
2. Using clear, concise, and simple language (including project terms and professional tone)
3. Using in-text citations and a reference list following the Harvard style referencing.
4. Your report should contain a cover page, a table of contents, an introduction, main sections, and a concluding paragraph.
5. When using tables and figures, you must include captions and numbers and in-text references when extracted from external resources and you must explain to the reader what the image or table is trying to show.

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| **Submission details**The report will be submitted in written format of approximately 4,000 words (excluding references and the appendix). Particular attention will be paid to: • Clear structure (using headings and subheadings) and links throughout the report • Clear, concise, and simple language • Your report should contain an extended thesis statement in the opening paragraph. • Your report should contain a concluding paragraph. **Tips on preparing your assignment**• Base your research on academic sources, e.g., journal articles, books, chapters in books. • Make sure to reference these appropriately using Harvard style referencing. • The majority of your sources should be peer reviewed journal articles. However, you may refer to other sources, such as internet sites, magazines, or newspapers, as long as you include a minimum of 3 peer-reviewed academic resources. • Communication skills are important, so proofread your work carefully before you submit. The standard of your writing will affect your mark.   |

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| **How your work will be assessed**  |
| Your work will be assessed on the extent to which it demonstrates your achievement of the stated learning outcomes for this assignment (see above) and against other key criteria, as defined in the University’s institutional grading descriptors. If it is appropriate to the format of your assignment and your subject area, a proportion of your marks will also depend upon your use of academic referencing conventions. This assignment will be marked according to the grading descriptors for Level 4. |

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| **Referencing and research requirements**  |
| Please reference your work according to the Harvard style; you can access guidance on this here: <https://www.bathspa.ac.uk/library/researching-and-referencing/> And the GBS Harvard Style Referencing: a quick guide available, located at the top of the Moodle page  |

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| **Submission details**  |
| This assignment should be submitted electronically via Moodle (module tutors will discuss this process with you during class time).* Please ensure that your work has been saved in an appropriate file format (Microsoft Word, Excel or PowerPoint, or PDF are the most widely used; Google Docs is also accepted). Your file must also contain at least 20 words of text, consist of fewer than 400 pages and be less than 40MB in size
* You can submit your work as many times as you like before the submission date. If you do submit your work more than once, your earlier submission will be replaced by the most recent version.
* Once you have submitted your work, you will receive a digital receipt as proof of submission, which will be sent to your forwarded e-mail address (provided you have set this up). Please keep this receipt for future reference, along with the original electronic copy of your assignment.
* You are reminded of the University’s regulations on academic misconduct, which can be viewed on the University website: https://www.uos.ac.uk/sites/default/files/Academic-Misconduct-Policy.pdf. In submitting your assignment, you are acknowledging that you have read and understood these regulations

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| **Reading materials**  |
| Hughes, P. and Ferrett, E. (2020) Introduction to Health and Safety at Work for the NEBOSH National General Certificate in Occupational Health and Safety. 7th Ed. London: Routledge.Mason, J. (2016) Construction Law: From Beginner to Practitioner. London: Routledge.**Further Reading:**Byrne, R. (2016) World Class Health and Safety: The professional's guide. Oxon: Routledge.Cheung, M. (2020) Construction law in 2019: a review of key legal and industry developments. London: Informa Law. Clough, R.H., Sears, G.A., Sears, K.S., Segnar, R.O. and Rounds, J.L. (2015) Construction Contracting: A Practical Guide to Company Management. 8th ed. Hoboken: John Wiley & Sons.Patten, B, and Saunders, H. (2018) Professional Negligence in Construction. 2nd Ed. Oxon: Routledge.Uff, J. (2013) Construction Law. London: Sweet & Maxwell.**Recommended Journals:****International Journal of Construction Management****Recommended Websites:****The Society of Construction Law. Available at https://www.scl.org.uk/ last accessed [accessed Nov 2020]** |

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| **Submission date and time**  |
| This assignment should be submitted to Moodle on **Monday 17th April 2023 before 23:59.**  Work submitted up to three working days after the deadline will be accepted and marked, but the mark will be capped at the pass mark (40%) unless there is a valid reason for the late submission (i.e., having been granted an extension to the deadline or a deferral under the terms of the **Extenuating Circumstances Policy**). Work submitted more than three working days after the deadline without a valid reason will not be accepted and will be recorded as 0% RN *(refer, no work submitted).*For more information, please refer to: <https://www.bathspa.ac.uk/about-us/governance/policies/mitigating-circumstances/> Feedback and marks for this assignment will be available in three weeks from the deadline. |

**Please see marking criteria below**

 **Assignment Brief Academic Year 2023/2024**

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| **Criteria**  | **Scales** **1st: 70%-100%** | **2:1 60%-69%** | **2:2 50%-59%** | **3rd: 40%-49%** | **35%-39%** | **20%-34%** | **≤20%** |
| **Criteria 1 (20%)** Identify and explain legal and statutory requirements relevant to the construction industry, including health safety and welfare.   | Student has demonstrated an excellent understanding and has provided an excellent explanation of the legal and statutory requirements relevant to the construction industry, including health safety and welfare.   | Student has demonstrated a good understanding and has provided a good explanation of the legal and statutory requirements relevant to the construction industry, including health safety and welfare.   | Student has a fair understanding and has provided a comprehensible explanation of the legal and statutory requirements relevant to the construction industry, including health safety and welfare.   | Student has a sound understanding and has provided an explanation of legal and statutory requirements relevant to the construction industry, including health safety and welfare.   | Student has a poor understanding and has poorly explained the legal and statutory requirements relevant to the construction industry, including health safety and welfare.   | Student has a very poor understanding and has not explained the legal and statutory requirements relevant to the construction industry, including health safety and welfare.   | Student has a no understanding of legal and statutory requirements relevant to the construction industry, including health safety and welfare.   |
| **Criteria 2 (20%)** Understanding of the methods and management tools used to monitor and develop projects.  | Student has an excellent Understanding of the methods and management tools used to monitor and develop projects.   | Student has a good understanding of the methods and management tools used to monitor and develop projects.  | Student has a fair understanding of the methods and management tools used to monitor and develop projects.   | Student has a sound understanding of the methods and management tools used to monitor and develop projects.   | Student has a poor understanding of the methods and management tools used to monitor and develop projects.  | Student has a very poor understanding of the methods and management tools used to monitor and develop projects.  | Student has a no understanding of the methods and management tools used to monitor and develop projects.   |
| **Criteria 3 (20%)** Knowledge of the law of tort, legal principles, procedures, and requirements in relation to the construction industry.  | Student has an excellent understanding and knowledge of the law of tort, legal principles, procedures, and requirements in relation to the construction industry.   | Student has a very good understanding and knowledge of the law of tort, legal principles, procedures, and requirements in relation to the construction industry.  | Student has displayed some understanding of the law of tort, legal principles, procedures, and requirements in relation to the construction industry.  | Student has displayed a basic understanding of the law of tort, legal principles, procedures, and requirements in relation to the construction industry.  | Student has a poor understanding of the law of tort, legal principles, procedures, and requirements in relation to the construction industry.   | Student has a very poor understanding of the law of tort, legal principles, procedures, and requirements in relation to the construction industry.   | Student does not discuss the law of tort, legal principles, procedures, and requirements in relation to the construction industry.  |
| **Criteria 4 (20%)** Knowledge of legal precedent for construction law and adjudication practice.  | Student has an excellent understanding and knowledge of legal precedent for construction law and adjudication practice.  | Student has a good understanding and knowledge of legal precedent for construction law and adjudication practice.  | Student has displayed some understanding of the legal precedent for construction law and adjudication practice.  | Student has displayed basic understanding of the legal precedent for construction law and adjudication practice.  | Student has a poor understanding of the legal precedent for construction law and adjudication practice.  | Student has a very poor understanding of the legal precedent for construction law and adjudication practice.  | Student does not discuss the legal precedent for construction law and adjudication practice.  |
| **Criteria 5 (10%)** Reading and referencing.  Illustration of a wide range of sources which are formatted according to Harvard referencing style.  | Insightful and effective use of a carefully selected range of relevant reading. Consistently accurate application of referencing.   | Consistent engagement with a wide range of relevant reading. Consistently accurate application of referencing.  | Engagement with an appropriate range of reading beyond essential texts. Referencing my show minor inaccuracies or inconsistencies.  | Evidence of reading, largely confined to essential texts, but mainly reliant on taught elements. Referencing may show inaccuracies and/or inconsistencies.  | Poor engagement with essential texts and no evidence of wider reading. Heavily reliant on taught elements. Inconsistent and weak use of referencing.  | Limited evidence of reading and/or reliance on inappropriate sources. Limited engagement with taught elements. Very poor use of referencing.   | No evidence of reading or engagement with taught elements. Absent or incoherent referencing.     |
| **Criteria 6 (10%)** Presentation of work, essay is well structured, formatted and designed.   | Exemplary presentation of work that is fluent and flawless throughout.    | Well-formed presentation of work that is coherently structures and clearly expressed throughout. | Work is structured in a largely coherent manner and is for the most part clearly expressed.  | Ordered presentation in which relevant ideas/ concepts are reasonably expressed.  | Work is loosely and at times incoherently structured. Information and ideas are poorly expressed.  | Work is poorly presented in a disjointed manner. Information and ideas are poorly expressed, with weak English and/or inappropriate style.  | Work is extremely disorganised, with much of the content confusingly expressed. Very poor English and/or very inappropriate style.  |