

# Diploma in Adjudication in the Construction Industry

Nationally accredited and recognised by the Office of the Qualifications and Examinations Regulator (OFQUAL)



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# RSHP/RICS L5 Diploma in Adjudication in the Construction Industry

The RICS Dispute Resolution Service (DRS) has, together with RSPH, developed an adjudication qualification that is nationally accredited and recognised by the Office of the Qualifications and Examinations Regulator (OFQUAL).

The **Diploma in Adjudication in the Construction Industry**, which comprises four separate units, is a qualification for those seeking to become an adjudicator, and provides a pathway towards potential entry onto the RICS Panel of Adjudicators. On successful completion of the Diploma, candidates' details will be retained in a pool that will be considered for vacancies on the RICS president's Panel of Adjudicators (subject to any further assessment or mentoring that is considered appropriate) as and when they arise.

**The RSPH/RICS Certificate in Adjudication in the Construction Industry:** units 1-3 of the Diploma qualification can also constitute a stand alone qualification, the Certificate in Adjudication in the Construction Industry. The Certificate covers the practicalities of using adjudication from the perspective of a potential adjudicator or party representative and is suitable for those who already have a basic understanding of the general principles of adjudication and who represent, or intend to represent, parties in adjudication or who wish to progress to practice as an adjudicator.

**The RSPH/RICS Award in Adjudication in the Construction Industry:** RICS has also created an introductory level course, the Award. The Award is suitable for those looking for an introduction to adjudication, its use and application in practice.

All the above qualifications will be awarded by the RSPH.

| Summary Outline of Qualifications |   |
|-----------------------------------|---|
| Qualification                     | Learning outcome  |
| <b>Award</b>                      | <ul style="list-style-type: none"> <li>• Understand the legal basis for adjudication</li> <li>• Understand the use of adjudication</li> <li>• Understand how adjudication is applied in practice</li> </ul>   |
| <b>Certificate Unit 1</b>         | <ul style="list-style-type: none"> <li>• Understand the nature of law &amp; its place in society</li> <li>• Understand how the law of contract is applied to the practice of adjudication</li> <li>• Understand how the law of tort is applied to the practice of adjudication</li> <li>• Understand how the rules of evidence are applied to the practice of adjudication</li> </ul> |
| <b>Certificate Unit 2</b>         | <ul style="list-style-type: none"> <li>• Understand the application of the law of adjudication</li> </ul>   |
| <b>Certificate Unit 3</b>         | <ul style="list-style-type: none"> <li>• Understand the process of commencing adjudication</li> <li>• Understand the process of planning and running an adjudication for the various parties involved</li> <li>• Understand how to draft submissions for adjudication</li> </ul>  |
| <b>Diploma</b>                    | <ul style="list-style-type: none"> <li>• Understand the nature of law and its place in society</li> <li>• Understand how the law of contract is applied to the practice of adjudication</li> <li>• Understand how the law of tort is applied to the practice of adjudication</li> </ul>   |

Further details are provided in the following sections.

# Section A

## Level 3 Award in Adjudication in the Construction Industry

The Award in Adjudication in the Construction Industry is a Level 3 qualification that covers the basic principles of adjudication. The qualification is based on the National Occupational Standards developed by the Construction Industry Council.

Holders of this qualification will have demonstrated their knowledge and understanding of the legal basis of adjudication, how adjudication is used in the construction industry, how it compares with other processes for dispute resolution and the practical application of adjudication. The qualification provides an introduction to the general principles of construction adjudication and is suitable for persons with educational qualifications of 'A' level standard or equivalent, and/or those with practical experience in dispute resolution procedures who are, or expect to be, members of a dispute resolution team.

### The course content will look at:

- The legal basis of adjudication
- The use of adjudication
- How adjudication is applied in practice

### Assessment

Attainment of the learning outcomes for this qualification will be assessed by an assignment.



# Section B

## Level 5 Certificate in Adjudication in the Construction Industry

The Level 5 Certificate in Adjudication in the Construction Industry is a qualification that covers the application of English law to adjudication (Unit 1), the law of adjudication (Unit 2) and practice and procedure in adjudication (Unit 3). The qualification is based on the National Occupational Standards developed by the Construction Industry Council.

Holders of this qualification will have demonstrated their knowledge and understanding of the nature of law and its place in society, an understanding of the law of contract, tort and evidence and how they are applied to the practice of adjudication, as well as an understanding of the application of the law of adjudication and the process of commencing, planning and running an adjudication. The qualification is suitable for persons with educational qualifications of at least 'A' level standard or equivalent, and/or those with practical experience in dispute resolution procedures, who have an understanding of the general principles of construction adjudication and who represent, or intend to represent, parties in adjudication or who wish to progress to practise as an adjudicator.

**Unit One** The Application of English Law and the Law of Contract, Tort and Evidence to Adjudication in the Construction Industry

### Course Content

- The nature of law and its place in society
- How the law of contract is applied to the practice of adjudication
- How the law of tort is applied to the practice of adjudication
- How the rules of evidence are applied to the practice of adjudication

### Assessment

Attainment of the learning outcomes for this unit will be assessed by an examination.

**Unit Two** The Application of the Law of Adjudication to the Construction Industry

### Course Content

- The Application of the Law of Adjudication

### Assessment

Attainment of the learning outcomes for this unit will be assessed by an examination.

**Unit Three** Practice and Procedure in Adjudication for the Construction Industry

### Course Content

- The process of commencing adjudication
- The process of planning and running an adjudication for the various parties involved
- Draft submissions for adjudication

### Assessment

Attainment of the learning outcomes for this unit will be assessed by an assignment. The assignment will consist of a number of tasks to be completed that are based on a presented scenario.

# Section C

## Level 5 Diploma in Adjudication in the Construction Industry

The Level 5 Diploma in Adjudication in the Construction Industry is a qualification consisting of four units. This consists of Units 1, 2, 3 as per the Certificate with an additional Unit 4. The qualification is based on the National Occupational Standards developed by the Construction Industry Council.

Holders of this qualification will have demonstrated their knowledge and understanding of the considerations relevant to the candidature, selection, appointment and discharge of the role of adjudicator, including the production of an enforceable Decision. The qualification is suitable for persons with experience in dispute resolution procedures, who have an understanding of the general principles of construction adjudication and who wish to progress to practise as an adjudicator.

**Unit One** The Application of English Law and the Law of Contract, Tort and Evidence to Adjudication in the Construction Industry

**Unit Two** The Application of the Law of Adjudication to the Construction Industry

**Unit Three** Practice and Procedure in Adjudication for the Construction Industry

(these 3 units comprise the Certificate in Adjudication in the Construction Industry)

### **Plus**

**Unit Four** Production of an Enforceable Decision by an Adjudicator in the Construction Industry

### **Course Content**

- Format and content of an enforceable reasoned decision.

### **Assessment**

Attainment of the learning outcomes for this unit will be assessed by a case study. Candidates will be required to produce an enforceable reasoned Decision based on material supplied in the case study.

*This qualification has been developed by RICS Adjudication Working Party and RSPH. Members of working party include Dr Franco Mastrandrea LLB MSc Phd FRICS FCIARB, Mark Entwistle LLB (Hons) FRICS FCIARB, Matt Molloy MSc FRICS FCIARB FCIQB, chaired by Eric Mouzer FRICS FCIARB.*

# Calendar

| Date     | Activity  |
|----------|---|
| 30/03/09 | Award commences – week 1 reading  |
| 04/05/09 | Award Pre-Tutorial Assignment   |
| 20/05/09 | Award Tutorial & Distribution of Assignment                               |
| 27/05/09 | Award Submit Assignment   |
| 08/06/09 | Certificate Unit 1 Commence   |
| 22/07/09 | RESULTS for Award   |
| 03/09/09 | Certificate Unit 1 Tutorial (week 13)                                     |
| 16/09/09 | Resit date for Award – result to follow in 8 weeks (where applicable)     |
| 12/11/09 | Certificate Unit 1 Tutorial (week 23)                                     |
| 10/12/09 | Certificate Unit 1 Exam   |
| 16/12/09 | Certificate Unit 2 Commence   |
| 28/01/10 | Certificate Unit 2 Tutorial   |
| 04/02/10 | Certificate Unit 1 RESULTS  |
| 04/03/10 | Certificate Unit 2 Exam   |
| 11/03/10 | Certificate Unit 3 Commence   |
| 01/04/10 | Certificate Unit 1 Resit – result to follow in 8 weeks (where applicable) |
| 29/04/10 | Certificate Unit 2 RESULTS  |
| 20/05/10 | Certificate Unit 3 Tutorial   |
| 10/06/10 | Certificate Unit 3 – submit assignment                                    |
| 23/06/10 | Diploma in Adjudication Commence  |
| 24/06/10 | Certificate Unit 2 Resit – result to follow in 8 weeks (where applicable) |
| 07/07/10 | Diploma Tutorial 1  |
| 05/08/10 | Certificate Unit 3 RESULTS  |
| 07/09/10 | Diploma Tutorial 2  |
| 30/09/10 | Certificate Unit 3 Resit – result to follow in 8 weeks (where applicable) |
| 19/10/10 | Diploma Tutorial 3 & exam   |
| 17/11/10 | Diploma – submit case study   |
| 12/01/11 | Diploma RESULTS   |
| 09/03/11 | Diploma Resit – result to follow in 8 weeks (where applicable)            |

# Registration form

## Delegate details

|         |                      |            |                      |
|---------|----------------------|------------|----------------------|
| Title   | <input type="text"/> | First name | <input type="text"/> |
| Surname | <input type="text"/> |            |                      |
| Address | <input type="text"/> |            |                      |
|         |                      | Postcode   | <input type="text"/> |
| Tel     | <input type="text"/> |            |                      |
| Fax     | <input type="text"/> |            |                      |
| Email   | <input type="text"/> |            |                      |

## Application for (please tick as necessary)

**Award**  
(total cost including pre-tutorial, tutorial day, work book and assignment; the Tutorial is on 20th May 2009, at Warwick University Conference Centre, Coventry)  
**£595 plus VAT**

**Certificate Unit 1**  
(Total cost including two tutorial days, exam and self-assessment questions)  
**£895 plus VAT**

**Certificate Unit 2**  
(Total cost including one tutorial day, exam and self-assessment questions)  
**£695 plus VAT**

**Certificate Unit 3**  
(Total cost including one tutorial day, assignment and self-assessment questions)  
**£695 plus VAT**

**Diploma**  
(Total cost including three tutorial days, exam, case study and self-assessment questions)  
**£1670 plus VAT**

**Discounted cost for registering onto the award, units 1-3 certificate & diploma**  
**£3760 plus VAT**





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**Advancing standards in land, property and construction.**

RICS is **the world's leading qualification** when it comes to professional standards in land, property and construction.

In a world where more and more people, governments, banks and commercial organisations demand greater certainty of **professional standards and ethics**, attaining RICS status is the recognised **mark of property professionalism**.

Over **100 000 property professionals** working in the major established and emerging economies of the world have already recognised the importance of securing RICS status by becoming members.

RICS is an **independent** professional body originally established in the UK by Royal Charter. Since 1868, RICS has been committed to setting and upholding the **highest standards of excellence** and **integrity** – providing **impartial, authoritative advice** on key issues affecting businesses and society.

RICS is a **regulator** of both its individual members and firms enabling it to **maintain the highest standards** and providing the basis for **unparalleled client confidence** in the sector.

RICS has a worldwide network. For further information simply contact the relevant RICS office or our Contact Centre.

**RICS terms and conditions**

This form represents a legally binding contract in which the following terms and conditions apply:

- Payment is required with the registration form. No places can be reserved without payment
- Confirmation of registration, map and receipted invoice will be sent in acknowledgement of all bookings
- Cancellations must be made in writing and will be subject to a 10% administration charge, but no refunds can be made for cancellations notified within 21 days of the event
- Substitute delegates will be accepted at any time

- Payments from overseas may only be made in £ sterling, by International Monetary Order, by credit card (subject to a 3% charge) or by cheque drawn upon a UK bank
- RICS are not liable for bank charges or any other costs incurred by delegates in attending the event
- RICS accepts no responsibility for the views or opinions as expressed by the tutors or any other persons at the event
- RICS reserves the right to refuse entry to delegates if it chooses
- RICS reserves the right to change the venue and/or speakers at any time and without prior notice
- RICS also reserves the right in its absolute discretion to cancel the event.

**RICS Dispute  
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