

Question writing and QA process

Jill Foster Taylor, Academic Director SQE, Kaplan
Janet Wright, Academic Head SQE1, Kaplan

SQE question writing

- Single best answer questions for SQE1
- SQE2 questions

Selection of writers

- Existing team of experienced writers
- New writers
 - Qualified solicitors: diversity
 - Practice and/or teaching experience
 - Understanding of the Threshold Standard Level 3: the Day One solicitor
- Confidentiality and conflict

Question writing retreats

- 2-3 day event
- Advance materials
- Writing sessions interspersed with training sessions
- Individuals write by specialism
 - Functioning Legal Knowledge
 - Narrative description of Day One Solicitor
 - Threshold Standard Level 3

Question writing retreats

- Writing teams edit by specialism
 - Clear identification of topic within FLK
 - Only one correct answer
 - Is the law up to date?
 - Style, structure and form
- Review and feedback
- **First draft** questions

Example first draft question 1

A blind testator is making a new will.

Which of the following **MUST be included in the attestation clause to ensure that the will is valid?**

Example first draft question 1

- A. The fact that the will has been read out to the testator and approved by him in the presence of two witnesses.
- B. The fact that the will has been signed on his behalf by a third party.
- C. The fact that the will was prepared on the instruction of the testator with another party present.
- D. The fact that the will was prepared on the instruction of the testator with no other party present.
- E. The fact that a second copy of the will has been previously reproduced in braille and read by the testator.

Example first draft question 2

- What editing and quality assurance processes do you consider are appropriate to produce a final question ready for use in an assessment?
- Do not produce a revised version of the question

Example first draft question 2

A private limited company has adopted the Model Articles unamended. It is proposing to sell some land to the father of one of its directors for £70,000. The company's most recent set of annual accounts state net assets of £600,000.

Which resolution[s] will be required to authorise this transaction?

Example first draft question 2

- A. None; the transaction falls under the directors' general authority to manage the company's business.
- B. At least one board resolution and no shareholders' resolutions.
- C. At least one board resolution and an ordinary shareholders' resolution.
- D. At least one board resolution and a special shareholders' resolution.
- E. No board resolution and an ordinary shareholders' resolution and a special shareholders' resolution.

Developing a question

- Question writer is a subject matter expert
- Academic Head as question editor has:
 - experience in SQE assessment methodology
 - *some* expert knowledge of the area of law
 - familiarity with the FLK and the assessment
 - experience of editing multiple choice questions

Developing first draft question

- Question writer produces first draft questions
- Academic Head as editor works with question writer
 - A process: validity, structure, content and format review
- Subject experts review questions written by others
- Review by Academic Head in liaison with question writer
- Review by professional editor of single best answer questions
- Final review by Academic Head in liaison with writer
 - Validity, structure, content and format review

Version 2 revised options

- A. No, because the transaction falls under the directors' general authority to manage the company's business.
- B. No, because the transaction involves the sale and purchase of land which is a non-cash asset.
- C. No, because the transaction is a sale at arm's length.
- D. Yes, shareholder approval is required by way of ordinary resolution.
- E. Yes, shareholder approval is required by way of special resolution.

A private limited company has adopted the Model Articles unamended. It is proposing to sell some land to the father of one of its directors for £70,000. The company's most recent set of annual accounts state net assets of £600,000.

~~**Which resolution[s] will be required to authorise this transaction?**~~

Does the proposed sale of land require shareholder approval?

Version 3 revised options

- A. No, because the transaction falls under the directors' general authority to manage the company's business.
- B. No, because the transaction involves the sale and purchase of land which is a non-cash asset.
- C. No, because the transaction is a sale at arm's length.
- D. Yes, shareholder approval is required by way of ~~ordinary resolution~~ **majority vote**.
- E. Yes, shareholder approval is required by way of ~~special resolution~~ **as the company's directors are also shareholders**.

Version 3 revised stem

~~A private limited company has adopted the Model Articles unamended. It is proposing~~ The directors of a private limited company plan to sell some land which is owned by the company. The proposed purchaser of the land is known to all the directors and is the father of one of its the directors. The company's directors are all also shareholders in the company. The land has recently been independently valued at for £70,000 and it is agreed that this will be the sale price. The company's most recent set of annual accounts states net profits of £770,000 and net assets of £600,000.

Version 3 revised stem

The company has adopted the Companies (Model Articles) Regulations 2008 (unamended) as its articles of association.

Finalising a question

- Role of Kaplan academic team and external subject matter experts
- Final review and approval by subject matter expert
- Question added to questionbank

Setting an exam paper

SQE1

- Questions used previously
- New questions
- Spread and strength

- Review of entire paper for common themes/overlap of topics
- Proofreading and final checking by at least 2 academics

Data processes

- Record questions used in each assessment paper
- Record statistical information for each question
 - Review of questions on assessment paper
 - Individual queries raised with subject matter experts
- Revision of questions

Annual review

- Subject matter experts review legal updates on a daily basis
- Annual review and updating of all questions in questionbank by subject matter experts
- Periodic review in response to changes in the law