



CILEX Level 6 Single Subject Certificate/CILEX Level 6 Professional Higher Diploma in Law and Practice/CILEX Level 6 Graduate Fast-Track Diploma

Unit 19 – The Practice of Employment Law

Question paper

January 2023

Time allowed: 3 hours and 15 minutes (includes 15 minutes' reading time)

Instructions and information

- It is recommended that you take **15** minutes to read through this question paper before you start answering the questions. However, if you wish, you may start answering the questions immediately.
- You must answer **all** questions.
- This question paper is out of 100 marks.
- The marks for each question are shown — use this as a guide as to how much time to spend on each question.
- Write in full sentences — a yes or no answer will earn no marks.
- Full reasoning must be shown in your answers.
- Statutory authorities, decided cases and examples should be used where appropriate.
- You are allowed to use your own printed copy of the pre-release case study materials, as long as the materials are not annotated in any way. Alternatively, you can access the electronic version of the pre-release case study materials available in the examination.
- You are allowed to make notes on your scrap paper during the examination.
- You can use your own unmarked copy of the following designated statute book **Blackstone's Statutes on Employment Law 2021-2022, 31st edition, Richard Kidner, Oxford University Press, 2021.**
- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

Turn over

Answer ALL questions

Question 1

Reference: Question relates to **Documents 1 and 2** of the case study materials.

- (a) Advise Tammy Denver if her rights have been breached in relation to the actions of Mrs Young and Mr Frank.

(12 marks)

- (b) On the basis that Tammy Denver decides to proceed with a claim, against Accurate Reports Ltd. at an Employment Tribunal, advise her on the following:

- (i) if she is required to proceed with the ACAS Early Conciliation Scheme;

(5 marks)

- (ii) if her co-worker, Owen, can be compelled to be a witness for her at the Employment Tribunal.

(7 marks)

- (c) Explain to Tammy Denver the Alternative Dispute Resolution process of judicial mediation.

(6 marks)

(Total: 30 marks)

Question 2

Reference: Question relates to **Document 3** of the case study materials.

Draft an email advising Jacob Ritter:

(a) on the benefits of having company specific policies;

(7 marks)

(b) whether Sweety Ltd has breached Heather Ginola's rights under the Equality Act 2010.

(11 marks)

(Total: 18 marks)

Turn over

Question 3

Reference: Question relates to **Documents 4 and 5** of the case study materials.

Draft an email advising Liam Light:

(a) whether he breached Meena McCall's right to antenatal leave; **(7 marks)**

(b) on the admissibility at tribunal of the exchanges pursuant to seeking a settlement agreement; **(6 marks)**

(c) on the validity of Clause 10 (as contained in **Document 5** of the case study materials); **(7 marks)**

(d) if Meena McCall has breached implied terms of her contract with Floral Scents Ltd. **(10 marks)**

(Total: 30 marks)

Question 4

Reference: Question relates to **Document 6** of the case study materials.

Advise Zander Zahir:

- (a) if Needs Ltd. breached the rights of Orthella Watts;
(9 marks)

- (b) if Repairs Ltd. had a right to know about Gopal Gingham's disciplinary record and, if so, potential remedies available to it against Needs Ltd.;
(8 marks)

- (c) on the validity of Clause 3 (as contained in **Document 6** of the case study materials)
(5 marks)

(Total: 22 marks)

End of the examination

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