



**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

Case study materials

June 2025

Information for candidates

- You should familiarise yourself with these case study materials before the examination, taking time to consider the themes raised in the materials.
- You should consider the way in which your knowledge and understanding relate to these materials.
- In the examination, you will be presented with a set of questions which will relate to these materials.
- You may discuss these materials with your tutor(s).

Instructions and information to candidates during the examination

- You are allowed to take your own clean/unannotated copy of this document into the examination. Alternatively, you can access the electronic version of this document in the examination.
- You are allowed to take your own unmarked copy of the following designated statute book into the examination – ***Blackstone's Statutes on Employment Law, 32nd edition, Richard Kidner, Oxford University Press, 2023.***
- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

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ADVANCE INSTRUCTIONS TO CANDIDATES

You are a trainee lawyer in the firm of Kempstons, The Manor House, Bedford, MK42 7AB. Your supervising partner is Adam Carter. You arrive at work and are given the following documentation to review and consider.

DOCUMENT 1: Email from Laila Hussain to Adam Carter dated 3 April 2025

DOCUMENT 2: Email from Laila Hussain to Adam Carter dated 10 April 2025

DOCUMENT 3: Email from Belinda Botts to Adam Carter dated 11 April 2025

DOCUMENT 4: Memorandum from Adam Carter dated 14 April 2025

DOCUMENT 5: Attendance note dated 16 April 2025 Adam Carter (Advocate), Kelisa Xander (Client)

DOCUMENT 1

EMAIL FROM LAILA HUSSAIN TO ADAM CARTER DATED 3 APRIL 2025

From: Laila Hussain

Sent: 3 April 2025 at 18:10

To: Adam Carter

Subject: Legal Advice

Hello

I am seeking clarification of my legal options per a difficult situation I am currently having with one of my employees. To provide you with a brief background, I am the senior manager of a team of eight employees at a marketing company, Turn Heads 100 Ltd. One of my team of employees is Christophe Penny.

Christophe Penny has worked for Turn Heads 100 Ltd for three years, and he and I had a 'romantic relationship' that entire time. We managed to keep our relationship private as it would not have reflected well on me as a manager to be dating a junior employee.

Last month, I decided to end my relationship with Christophe as I felt that I had 'outgrown' him emotionally. I told Christophe of my decision and while he said that he accepted it, he has continued to try to arrange meetings with me at work. He claims these meetings are to discuss work issues but I am concerned he is trying to meet with me in an attempt to reestablish our romantic relationship.

I have told Christophe several times that I do not wish to speak with him, especially not at work, as I do not want anyone to know that we dated. But he continues to try to speak with me, claiming that he needs to discuss work issues and that I am still his manager; a point I concede. Nonetheless, I am concerned that if Christophe continues to approach me at work, our former romantic relationship may become known. I am writing to seek your advice as to whether I can discipline, or even dismiss, Christophe for his continued attempts to book meetings with me, despite my telling him not to do so for the reasons explained above.

Kind regards

Laila Hussain

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DOCUMENT 2

EMAIL FROM LAILA HUSSAIN TO ADAM CARTER DATED 10 APRIL 2025

From: Laila Hussain

Sent: 10 April 2025 at 13:22

To: Adam Carter

Subject: Follow Up – Legal Advice

Hello

I wrote to you last week regarding some issues I was having with my team member, Christophe Penny. The matter has since developed and I seek your legal advice, bearing in mind the points below.

My manager, Mr Lee, called me to a meeting last Friday where he told me that he had noticed Christophe Penny trying to speak with me several times and that I seemed uneasy during these interactions. I told him that Christophe was somewhat bothering me with his continued attempts to book meetings with me, despite there being no work issues to discuss.

I added that Christophe had touched me on my shoulder during one of these attempts to engage with me, which he did (I also probably occasionally touched his arm and shoulder when speaking, purely because of our previous close relationship but this was not something I mentioned). This seemed to elevate the matter in the mind of Mr Lee and he told me that unwanted touching in the workplace is a very serious matter and to leave it with him.

The next day, I found out that Christophe Penny had been dismissed, based on my statements. I asked Mr Lee if he had met with Christophe before dismissing him (as I was worried he would mention our previous romantic relationship). Mr Lee confirmed that no such meeting took place as he entirely trusted what I had told him and that Christophe had been dismissed the same day.

This morning, I found out that Christophe Penny has brought a complaint against Turn Heads 100 Ltd for unfair dismissal. I am now worried that Christophe is going to reveal our previous romantic relationship within his complaint and that this will negatively impact my professional standing within the company. I mentioned to Mr Lee that I eagerly await your response.

Kind regards

Laila Hussain

DOCUMENT 3

EMAIL FROM BELINDA BOTTS TO ADAM CARTER DATED 11 APRIL 2025

From: Belinda Botts

Sent: 11 April 2025 at 07:30

To: Adam Carter

Subject: New staff

Greetings

My name is Belinda Botts. Earlier this year, I became the owner and manager of a clothing store, 'Fashion19 Ltd'. I could see that the store wasn't making much money and this was mainly because only older people were coming there to shop. The young people seem to have the money these days, so I decided to make the business more appealing to them.

The first thing I did was to change the staff. We had five people working on the shop floor; they were mostly male and quite mature in age and this was putting off young customers. I decided we had to take on some younger, female staff to work in a customer-facing role in the store, which meant I had to get rid of some of the existing older male staff (I actually think we should have a cut-off age for retirement from this store).

The first person I fired was Timmy Yates. Timmy is a 40-year-old male who didn't fit the image I wanted for the store. Timmy was given due notice and was replaced with a 22-year-old female called Samantha Eagles. Things have not got off to a good start with her though.

On her first day of work, I saw that Samantha was spending all her time with Johnny, another employee who I dislike as he is openly gay and has a bad attitude. I can't fire him as he's been at the store for years. I wish I could get rid of him though. I didn't want Johnny to influence Samantha, so I moved her to a later shift, so they don't work together any more. Now she's kicking up a fuss saying she doesn't want to work later all the time, but too bad, it is my choice as manager and she should have chosen her work friends more carefully!

Anyway, my main reason for writing to you is because Arash Aktar, the HR manager, has told me that I should have consulted him before dismissing Timmy Yates. Arash is watching my actions closely as I fired another employee during the first week when I took over the company. That person made a successful compensation claim in the Employment Tribunal against the company for unfair dismissal. I told Arash we should appeal that decision but he didn't want to. So now he is monitoring my actions 'for the protection of my interests and those of the business' as he puts it. Can you just confirm I've done nothing wrong so I can get Arash to calm down a bit!?

Cheers

Belinda Botts

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DOCUMENT 4

MEMORANDUM FROM ADAM CARTER DATED 14 APRIL 2025

To: Trainee Lawyer

From: Adam Carter

Client: Various

Date: 14 April 2025

Hello,

Please review the notes below and prepare to assist me with these new clients.

Many thanks

Adam Carter

Client one: Jason Jones, a 24-year-old male employed by ZeusZoos Ltd as a security guard for the last four months. Mr Jones had a 'casual relationship' with a woman and she gave birth to his child last month. Mr Jones states that both he and the mother of the child have agreed that he will not have any contact with the child (the mother of the child is married to another man). Mr Jones made a request for three weeks' paternity leave, he made this request one week after the child was born. This request was denied. Mr Jones wishes to make a complaint against ZeusZoos Ltd for refusal of paternity leave.

Client two: Susi Kelly, a 21-year-old female working as a driver for Welcome Ltd, a food-delivery service; she has worked for the company for the past three years. Ms Kelly has a two-year-old son and recently made a valid request to change her working hours so that she can take her son to school in the mornings; Welcome Ltd refused without reason. Ms Kelly also mentioned that her child was recently injured in the school playground and her employer did not allow her to leave her shift early to attend to the child when he was being treated at the hospital. (Note: having reviewed basic details of her case, it is clear that both her requests above should have been allowed by her employer.) Ms Kelly seeks advice on her rights.

Client three: Tomaz Wright, a 60-year-old male who had worked as a senior consultant for EXIP Ltd for 22 years. Mr Wright resigned from his employment at the company and gave his employer the required four weeks' notice. Immediately following completion of his notice period, Mr Wright began working for a local competitor of EXIP Ltd. Mr Wright concedes that in the one month he has worked in his new role he has used the experience gained within his role at EXIP Ltd. However, Mr Wright states that any information utilised is based on common knowledge points in the industry and is not information specific to his former employer. Mr Wright has received correspondence from his former manager at EXIP Ltd informing him that by working for a competitor he is in breach of Clause 5 within his employment contract with EXIP Ltd. (Note: I reviewed the Clause 5. It is a restrictive covenant and it appears to be valid.) Mr Wright seeks clarification of his rights and liabilities.

DOCUMENT 5

**ATTENDANCE NOTE DATED 16 APRIL 2025
ADAM CARTER (ADVOCATE), KELISA XANDER (CLIENT)**

Meeting attended by: Adam Carter (Advocate), Kelisa Xander (Client)

Date: 16 April 2025

Meeting with Kelisa Xander, owner of ORI4 Ltd, a landscaping business.

The services provided by the quality assurance department of ORI4 Ltd were recently transferred to another company, EL Ltd. ORI4 Ltd had intended to transfer three employees from this department; one week prior to the transfer EL Ltd requested to see the disciplinary record of these three employees. ORI4 Ltd provided the information for two of the employees (see below); they did not provide the information for the third employee, Mr Brown. Consequently, EL Ltd refused to accept Mr Brown within the transfer.

Ms Xander mentioned that, prior to the transfer, the employee representative from ORI4 Ltd had attempted to hold a meeting with her to discuss the potential effect of the transfer on the transferred employees. Ms Xander declined to meet with this representative as she stated that EL Ltd recognises only their own employee representative.

In April 25, the quality assurance services provided by ORI4 Ltd were transferred to EL Ltd, this involved the transfer of two employees from ORI4 Ltd to EL Ltd. The two employees are Dimitri Green and Tamara Smith. Kelisa Xander states that both of these transferred employees have made complaints against EL Ltd within the last month, stating that they were not made aware of the fact that the transfer would require them to align their working hours and wages with existing EL Ltd staff in the same role. Ms Xander states that, while Dimitri Green and Tamara Smith are paid less at EL Ltd than they were at ORI4 Ltd, they receive more holiday leave at EL Ltd than they did with ORI4 Ltd, 'averaging out to the same wages in real terms' according to Ms Xander.

End of the case study materials

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