



**CILEX Level 3 Certificate in Law and Practice/  
CILEX Level 3 Professional Diploma in Law and Practice**

**Unit 13 – The Practice of Employment Law**

**Question paper**

**November 2023**

**Time allowed: 1 hour and 45 minutes (includes 15 minutes reading time)**

**Instructions and information**

- It is recommended that you take **fifteen** minutes to read through this question paper before you start answering the questions. However, if you wish to, you may start answering the questions immediately.
- You must answer **all** questions.
- This question paper is out of 70 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 are **not** allowed access to any statute books.
- A basic calculator is provided should you require the use of one.
- 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) Explain whether Andrew Padley meets the eligibility criteria to bring a claim for unfair dismissal. **(5 marks)**

(b) Explain whether Andrew Padley has a potential claim for unfair dismissal. **(8 marks)**

Steve Willow is concerned about the potential cost should Andrew be successful.

(c) Identify and explain the remedies available to Andrew Padley if he succeeds in his claim for unfair dismissal. **(4 marks)**

(d) Identify the form that Andrew Padley must use to bring a claim for unfair dismissal. **(1 mark)**

**(Total: 18 marks)**

**Question 2**

Reference: Question relates to **Documents 1** and **3** of the case study materials.

(a) Identify and explain **two** potential funding options available to Barbara Valentine should she wish to pursue a claim. **(4 marks)**

(b) (i) Explain the **three** situations in which Just Hair can lawfully make its staff redundant. **(3 marks)**

(ii) Identify which situation is relevant in this case. **(1 mark)**

(c) On the assumption that the redundancy is fair, calculate the redundancy payment Barbara Valentine would receive, showing how the amount is achieved. **(6 marks)**

(d) Explain whether Just Hair can insist that the stylists at the Bedford salon transfer to the salon in Kempston instead of being made redundant. **(6 marks)**

**(Total: 20 marks)**

### Question 3

Reference: Question relates to **Documents 1** and **4** of the case study materials.

(a) Define the protected characteristic that applies to Leo Cross. **(4 marks)**

(b) Identify and explain how Leo Cross may have been discriminated against. **(6 marks)**

An application is made to the Employment Tribunal. There is to be a preliminary hearing.

(c) Provide **four** examples of what actions the Employment Tribunal can take at a preliminary hearing. **(4 marks)**

(d) Identify and explain the potential remedy available to Leo Cross should he be successful in his claim. **(3 marks)**

**(Total: 17 marks)**

### Question 4

Reference: Question relates to **Documents 1** and **5** of the case study materials.

(a) Describe what action, if any, Ned Beavis could take if information concerning the terms of his contract is not provided. **(4 marks)**

(b) Explain the potential breaches of the Working Time Regulations 1998 by Laurel Yang's employer. **(5 marks)**

(c) Explain the rights and entitlements that Harriet Kettle would have if she were to adopt a child. **(6 marks)**

**(Total: 15 marks)**

**End of the examination**