



**THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES**  
**UNIT 19 – THE PRACTICE OF EMPLOYMENT LAW\***

**Time allowed: 3 hours plus 15 minutes' reading time**

**Instructions to Candidates**

- You have been provided with a clean copy of the case study materials for you to use in this examination.
- You have **FIFTEEN** minutes to read through this question paper and the case study materials before the start of the examination.
- **It is strongly recommended that you use the reading time to read this question paper fully.** However, you may make notes on this question paper or in your answer booklet during this time, if you wish.
- **All questions are compulsory. You must answer ALL the questions.**
- Write in full sentences – a yes or no answer will earn no marks.
- **Candidates may use in the examination their own unmarked copy of the designated statute book: Blackstone's Statutes on Employment Law 2020-2021, 30th edition, Richard Kidner, Oxford University Press, 2020.**
- Candidates must comply with the CILEx Examination Regulations.
- Full reasoning must be shown in answers. Statutory authorities, decided cases and examples should be used where appropriate.

**Information for Candidates**

- The mark allocation for each question and part-question is given and you are advised to take this into account in planning your work.
- Write in blue or black ink or ballpoint pen.
- Attention should be paid to clear, neat handwriting and tidy alterations.
- Complete all rough work in your answer booklet. Cross through any work you do not want marked.

**Do not turn over this page until instructed by the Invigilator.**

\* This unit is a component of the following CILEx qualifications: **LEVEL 6 CERTIFICATE IN LAW, LEVEL 6 PROFESSIONAL HIGHER DIPLOMA IN LAW AND PRACTICE** and the **LEVEL 6 DIPLOMA IN LEGAL PRACTICE**

### **Question 1**

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

Draft an email to Marianne Goode, explaining:

(a) whether Leaf Preparatory School can force her to retire;

**(16 marks)**

(b) whether she has harassed Ethan Paul.

**(9 marks)**

**(Total: 25 marks)**

### **Question 2**

Reference: Question relates to **Documents 3 and 4** of the case study materials.

Draft a letter to Janet Rai, explaining:

(a) the requirements of a proper investigation into an allegation of employee misconduct, and whether Quality Ltd met these standards in relation to Ian Faire's dismissal;

**(10 marks)**

(b) the remedies available to Ian Faire, if his claim for unfair dismissal is successful;

**(7 marks)**

(c) whether Quality Ltd has breached the rights of Tyrone Hart.

**(8 marks)**

**(Total: 25 marks)**

### **Question 3**

Reference: Question relates to **Document 5** of the case study materials.

- (a) Advise Owen Zahid whether Tanisha Kaur has been unfairly dismissed.  
**(10 marks)**
- (b) Explain to Owen Zahid the grounds upon which a tribunal can restrict reporting of a case and whether they are likely to restrict reporting in Tanisha Kaur's case against Pretty Spaces Ltd.  
**(7 marks)**
- (c) Advise Owen Zahid as to the validity of Clause 8 in Tanisha Kaur's contract.  
**(6 marks)**
- (d) Draft a non-solicitation clause.  
**(7 marks)**
- (Total: 30 marks)**

### **Question 4**

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

Advise Fifi Carter:

- (a) whether she has breached Jamie Langer's rights;  
**(10 marks)**
- (b) on the importance of having a company policy on employee internet use.  
**(10 marks)**
- (Total: 20 marks)**

**End of Examination Paper**

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