



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

June 2022

Time allowed: 3 hours and 15 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 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 **Document 1** of the case study materials.

- (a) Draft an email to Conrad Carter advising him on:
- (i) the validity of the reason he has given for dismissing Barbie Butler;
(8 marks)
 - (ii) the ACAS Code of Conduct and whether it was followed when dismissing Barbie Butler;
(6 marks)
 - (iii) the potential remedies available to Barbie Butler against Acute Aims Ltd.
(6 marks)
- (b) Explain to Conrad Carter the basis on which Acute Aims Ltd may be able to introduce an Employer Justified Retirement Age.
(10 marks)
- (Total: 30 marks)*

Question 2

Reference: Question relates to **Document 2** of the case study materials.

- (a) Advise Mr Finnish if any breaches of TUPE 2006 have been committed by Details01 Ltd and EveforEver.
- [**Note to candidates: Do not** consider remedies]
- (10 marks)*
- (b) Explain if EveforEver had a right to know about the disciplinary record of Hubert Hodges and, if so, any remedies it may seek.
(10 marks)
- (Total: 20 marks)*

Question 3

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

(a) Explain the benefits of a company having an anti-bullying policy.

(8 marks)

(b) Assuming that Imran Zaman wishes to pursue the matter:

Draft the particulars of a claim to be included in an ET1 form for Imran Zaman in a claim against Knights200 Ltd in relation to:

- (i) each statutory breach of his rights;
- (ii) the associated remedies.

(22 marks)

(Total: 30 marks)

Question 4

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

(a) Advise Katie Kachchhi on the nature and enforceability of:

(i) Clause 2.1 (as described in the case study materials);

(9 marks)

(ii) Clause 2.2 (as described in the case study materials).

(6 marks)

(b) Explain whether LightLime has discriminated against Katie Kachchhi.

[Note to candidates: Do not consider remedies]

(5 marks)

(Total: 20 marks)

End of the examination

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