

5OS01

Specialist Employment Law

Learner Assessment Brief

Assessment ID / 669_5OS01_22_01

Level 5 Associate Diploma in
■ **People Management**

Please write clearly in block capitals.										
Centre number	6	6	9							
Learner number										
Learner surname										
Learner other names										
Learner signature										
Assessor name	Hannah Belton									
Assessor signature										
Internal quality assurer name										
Internal quality assurer signature										
Assignment start date	9 th February 2022									
Assignment end date										
Assignment submission date	14 th March 2022									
Assignment re-submission date for centre marking (only two re-submissions allowed)										

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Specialist Employment Law

This unit considers key areas of employment legislation and its legal framework, focusing on how people professionals are obliged to take account of legal requirements in different jurisdictions when carrying out the varied aspects of their role.

What you will learn

You will learn about the purpose of employment regulation and the way that it is enforced in practice. You will evaluate the aims and objectives, the role played by the tribunal and courts in enforcing employment law and how cases are settled before and after legal procedures. You will explain the main principles of discrimination law, how to manage recruitment and selection activities lawfully as well as learning about redundancy law and changes in contracts. Finally, you will learn about managing issues relating to pay and working time in a lawful way and employment rights for flexible working.

Learning Outcomes:

1. Understand the purpose of employment regulation and the way it is enforced in practice.
2. Understand how to manage recruitment and selection activities lawfully.
3. Understand how to manage change and reorganisation lawfully.
4. Understand how to manage issues relating to pay and working time lawfully.

Key Resources available on the CIPD website include:

[Employment Law Update for CIPD Tutors and Students](#)

[About Employment Law | CIPD](#)

[Employment law resources A - Z | CIPD](#)

Written Answers to Questions and Case Study

You are required to provide written answers to questions for task 1 and email responses to the managing director of a company for task 2.

Preparation for the Tasks:

- You are encouraged to start with the reading, listening and watching required for this unit before moving on to plan the content of your assignment.
- Refer to the indicative content in the unit to guide and support your evidence.
- Pay attention to how your evidence is presented, including spelling and grammar.
- Make sure that all work generated for this assignment remains your own.

You will also benefit from:

- Acting on formative feedback from your Assessor.
- Reflecting on your own experiences.
- Reading the CIPD Fact Sheets and related on-line material on these topics.



Task One: Written Answers to Questions:

You are required to provide written answers to the following tasks:

1. Explain the reasons in favour of more employment regulation and the role played by the tribunal system in enforcing employment law (AC 1.1, 1.2, 1.3)
2. Explain:
 - (a) the major statutory rights employees have in relation to pay, time off and working time and,
 - (b) the major family-friendly employment rights (4.1, 4.2, 4.3, 4.4).
3. Evaluate the key concepts around:
 - (a) Discrimination law in recruitment, selection and employment (AC 2.1)
 - (b) Equal pay (AC 2.2).

As well as referring to employment legislation, case law and guidance for your answers, you should use organisational and workplace examples to illustrate your points.

Your evidence must consist of:

Written answers to questions: (approximately 3000 words), refer to CIPD word count policy.

Task 2 – Case Study

You are a stand-alone HR Officer working for ABC limited. The organisation has three sites with a total workforce of 19 people. All of the sites are within 20 miles of each other. It has been decided to close one site for financial reasons. At the site earmarked for closure, there are 5 members of staff who have all been employed for three years or more. The managing director has asked you for advice. Please provide email responses covering the following:

- (a) Outline when and how the staff from the closed site can be moved to work at another site.
- (b) Explain briefly the main requirements of individual redundancy consultation.
- (c) If the site was not closing and had been taken over by a competitor, summarise the main requirements of a service provision change in relation to TUPE (3.1,3.2)

It is essential that you refer to employment legislation, guidance documents and case law for the tasks to ensure that your work is well supported. Please ensure that any references and sources drawn upon are acknowledged correctly and supported by a bibliography.

Your evidence must consist of:

Content of emails (approximately 900 words), refer to CIPD word count policy.

Assessment Criteria Evidence Checklist

Use this as a checklist to make sure that you have included the required evidence to meet the task. Please enter the evidence title and where it can be referred to. An example has been provided for you.

Assessment criteria	Evidenced Y/ N	Evidence reference
1.1 Evaluate the aims and objectives of employment regulation		Task one, Question one
1.2 Examine the role played by the tribunal and courts system in enforcing employment law		
1.3 Explain how cases are settled before and during formal legal procedures.		
2.1 Evaluate the principles of discrimination law in recruitment, selection and employment.		
2.2 Discuss the legal requirements of equal pay.		
3.1 Discuss the legal implications of managing change.		
3.2 Explain the legal requirements relating to transfers of undertakings.		
4.1 Explain the major statutory rights workers have in relation to pay.		
4.2 Explain the major statutory rights in leave and working time.		
4.3 Explain the main principles of maternity, paternity and adoption rights in the context of employment rights.		

4.4	Explain other employment rights relating to flexible working.		
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Declaration of Authentication

Declaration by learner

I have produced the assessment without assistance from my Assessor other than that which is acceptable under the scheme of assessment.

Learner name:

Learner signature:

Date:

Declaration by Assessor

I confirm that:

- **The learner's work was conducted under any conditions laid out by the assessment brief.**
- **I am satisfied that to the best of my knowledge, the work produced is solely that of the learner.**

Assessor name:

Assessor signature:

Date:

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Assessment Criteria marking descriptors

Assessors will mark in line with the following assessment criteria (AC) marking descriptors, and will indicate where the learner sits within the marking band range **for each AC**.

Assessors must provide a mark from 1 to 4 for each assessment criteria within the unit. Assessors should use the mark descriptor grid as guidance so they can provide comprehensive feedback that is developmental for learners. Please be aware that not all the mark descriptors will be present in **every** assessment criterion, so assessors must use their discretion in making grading decisions.

The grid below shows the range for each unit assessment result based on total number of marks awarded across all assessment criteria.

To pass the unit assessment learners must achieve a 2 (Low Pass) or above for each of the assessment criteria.

The overall result achieved will dictate the outcome the learner receives for the unit, provided **NONE** of the assessment criteria have been failed or referred.

Please note that learners will receive a **Pass or Fail** result from the CIPD at unit level. **Referral** grades can be used internally by the centre.

Overall mark	Unit result
0 to 21	Fail
22 to 28	Low Pass
29 to 35	Pass
36 to 44	High Pass

Marking Descriptors

Mark	Range	Descriptor
1	Fail	Insufficient demonstration of knowledge, understanding or skills (as appropriate) required to meet the AC. Insufficient examples included, where required, to support answers. Presentation and structure of assignment is not appropriate and does not meet the assessment brief.
2	Low Pass	Demonstrates an acceptable level of knowledge, understanding or skills (as appropriate) required to meet the AC. Sufficient and acceptable examples included, where required, to support answers. Required format adopted but some improvement required to the structure and presentation of the assignment. Answers are acceptable but could be clearer in responding to the task and presented in a more coherent way.
3	Pass	Demonstrates good knowledge, understanding or skills (as appropriate) required to meet the AC. Includes confident use of examples, where required, to support each answer. Presentation and structure of assignment is appropriate for the assessment brief. Answers are clear and well expressed.
4	High Pass	Demonstrates a wide range and confident level of knowledge, understanding or skill (as appropriate). Includes strong examples that illustrate the point being made, that link and support the answer well. Answers are applied to the case organisation or an alternative organisation. Answers are clear, concise and well argued, directly respond to what has been asked. The presentation of the assignment is well structured, coherent and focusses on the need of the questions. Includes clear evidence of the use of references to wider reading to help inform answer.

Marking grid

Assessment criteria	Mark 1-4	Comments from Tutor
1.1 Evaluate the aims and objectives of employment regulation		
1.2 Examine the role played by the tribunal and courts system in enforcing employment law		
1.3 Explain how cases are settled before and during formal legal procedures.		
2.1 Evaluate the principles of discrimination law in recruitment, selection and employment.		
2.2 Discuss the legal requirements of equal pay.		
3.1 Discuss the legal implications of managing change.		
3.2 Explain the legal requirements relating to transfers of undertakings.		
4.1 Explain the major statutory rights workers have in relation to pay.		
4.2 Explain the major statutory rights in leave and working time.		
4.3 Explain the main principles of maternity, paternity and adoption rights in the context of employment rights.		
4.4 Explain other employment rights relating to flexible working.		

