

ANNEX 7: CHARTERED LEGAL EXECUTIVE (EMPLOYMENT)¹

A Chartered Legal Executive (Employment) may follow the Chartered Legal Executive route to qualification.

The technical knowledge requirements are set out below and must be coupled with the general qualification route to Chartered Legal Executive status where this authorisation is sought. Where knowledge outcomes have been met as part of the route to qualification as a Chartered Legal Executive, this need not be repeated.

Chartered Legal Executive knowledge requirements should be set and assessed at Level 6 as a minimum

In addition to demonstrating this knowledge, individuals must also demonstrate the requirements set out in the competence framework, contextualised for their area of practice.

¹ This document forms the education standards for Employment Practitioners

TECHNICAL KNOWLEDGE REQUIREMENTS:

GENERAL KNOWLEDGE REQUIREMENTS FOR ALL CHARTERED LEGAL EXECUTIVES

MINIMUM CONTENT:
STAGE 1
Introduction to law and legal practice
Introduction to dispute resolution
Introduction to conveyancing
Introduction to criminal practice
Introduction to wills and probate
Introduction to public law
Introduction to equality and human rights law
Introduction to legal technology
Conduct and professional ethics
STAGE 2
Contextualised legal technology
Conduct and professional ethics
CHARTERED LEGAL EXECUTIVE
Basic accounts
Specialist legal technology
Conduct and professional ethics

KNOWLEDGE REQUIREMENTS SPECIFIC TO A CHARTERED LEGAL EXECUTIVE (EMPLOYMENT)

MINIMUM CONTENT:
Employment Law and Practice
An understanding of the law relating to the formation and structure of the employment relationship including the statutory definitions of “employee” and “worker”
An understanding of the various means of engaging labour and the respective legal implications of each as well as the rights and obligations of each of the parties
An understanding of the contract of employment: legality; formalities and; express and implied terms
An understanding of the use of express terms to protect the business interests of the employer
An understanding of ‘Vicarious liability’ of employers for certain actions of employees

An understanding of the remuneration package, including holiday pay and working time regulation and family friendly policies
An understanding of termination of a contract and the consequences at common law and statute
An understanding of the protections given to workers against unlawful treatment, unfair, constructive and wrongful dismissal and redundancy
An understanding of the principles and concepts which underpin the law on discrimination in the workplace including equal pay
An understanding of the law and policy relating to fair reasons for dismissal
An understanding of the law and procedure relating to presenting and defending claims for unlawful treatment, unfair and wrongful dismissal, including remedies available, recoupment of benefits and of interest on Employment Tribunal awards
An understanding of the tax implications of termination payments and Employment Tribunal awards
An understanding of the law and procedure relating to presenting and defending claims of discrimination
An understanding of employment rights and protections governed by the Transfer of Undertaking Regulations
An understanding of the role of ACAS
An understanding of the processes leading to a settlement of employment disputes and compromise agreements
An understanding of the implications of Insolvency and Employment Law
Understanding best practice in HRM
Throughout to demonstrate an ability to act honestly and with integrity and in accordance with the principles of professional conduct rules

COMPETENCE REQUIREMENTS:

1. APPLICATION OF LAW AND PRACTICE

- ✓ Undertake legal research
- ✓ Critically analyse facts and law
- ✓ Synthesise all relevant information to provide advice
- ✓ Find solutions where possible
- ✓ Draft legal documents

2. COMMUNICATION

- ✓ Communicate orally and in writing, clearly and effectively:
- ✓ Negotiate effectively
- ✓ Deliver advocacy/oral presentations
- ✓ Develop, maintain and manage 3rd party relationships

3. CLIENT RELATIONSHIPS

- ✓ Take instructions
- ✓ Evaluate options and risks to your client
- ✓ Give advice
- ✓ Provide good customer service

4. EFFECTIVE WORKING PRACTICES

- ✓ Progress matters
- ✓ Plan workload and manage files
- ✓ Manage caseload

5. BUSINESS AWARENESS

- ✓ Identify and evaluate options and risks to the business in which you work
- ✓ Undertake business development
- ✓ Network
- ✓ Identify marketing opportunities
- ✓ Understand and use financial management tools

6. SELF DEVELOPMENT

- ✓ Reflect and self-evaluate, including understanding your own limitations and the need for adaptability
- ✓ Develop awareness of the role of your own emotions within the workplace and recognise the emotions and vulnerabilities of clients
- ✓ Foster personal physical and mental wellbeing and contribute where possible to a positive workplace environment
- ✓ Identify and undertake professional development necessary to ensure competence and good practice and a commitment to supervisory requirements
- ✓ Demonstrate leadership and management skills (optional)

7. CONDUCT, ETHICS AND PROFESSIONALISM

- ✓ Understand and put into practice the CILEX Code of Conduct
- ✓ Understand and put into practice all relevant legal and regulatory requirements (e.g. data protection, anti-money laundering legislation and regulation, conflicts, withdrawal from a case, undertakings, confidentiality and privilege)
- ✓ Understand and put into practice the principles of client care
- ✓ Provide certainty and clarity as to the legal services being provided and the basis of charging and draft compliant client care letters
- ✓ Understand and put into practice complaint handling requirements
- ✓ Understand and put into practice principles of equality, diversity and inclusion, including the needs of vulnerable consumers
- ✓ Identify situations where ethical, legal or regulatory requirements are engaged and take appropriate action
- ✓ Resist pressure to condone, ignore or act unethically

8. USE OF TECHNOLOGY

- ✓ Use available technology as it is used in employment law
- ✓ identify uses for emerging technology in employment law and recommend its implementation where appropriate
- ✓ Understand the ethical challenges and the limitations of technology and use technology ethically