

MODULE SPECIFICATION

1. **Title of the module**

Employment Law

2. **School or partner institution which will be responsible for management of the module**

Pearson Business School

3. **The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)**

Level 5

4. **The number of credits and the ECTS value which the module represents**

15 (7.5 ECTS)

5. **Which term(s) the module is to be taught in (or other teaching pattern)**

The module will always be taught in the first term of a student's studies at level 5 (whether or not they start in September or January)

6. **Prerequisite and co-requisite modules**

Pre-requisites: None

Co-requisites: None

7. **The programmes of study to which the module contributes**

Certificate of Higher Education

Diploma of Higher Education

LLB (Honours)

LLB Law with Accounting

LLB Law with Business

MLaw (Integrated Masters) Professional Legal Practice

8. **The intended subject specific learning outcomes.**

On successfully completing the module students will be able to demonstrate:

Subject Specific Knowledge and Skills

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1. A knowledge and critical understanding of the evolving principles and rules of Employment Law, including: the existing law which underpins the relationship between employers and workers; the protection afforded to workers against unfair and unlawful treatment - together with the principles and concepts which underpin the law on discrimination in the workplace; and an appreciation of the commercial risks inherent in failing to adhere to Employment Law.
2. An ability to apply underlying concepts, principles, rules and regulations within EL Law to complex practical legal problems of the kind they might encounter in practice.
3. An ability to devise and sustain arguments based on appropriate and reflective use of the main modes of enquiry found in Employment Law, and critically analyse the information thereby collected, with a view to proposing informed and reasoned solutions accordingly.
4. An ability to use employment law terminology correctly and utilise accepted methods of referencing and citation.

9. The intended generic learning outcomes

1. An ability to use the English language accurately and reliably.
2. An ability to effectively communicate information, arguments and analysis to specialist and non-specialist audiences.

10. A synopsis of the curriculum

The aim of this module is to give students a practical introduction to Employment Law. It aims to provide students with a sound understanding of the legal provisions governing the employment relationship between employers and workers. In addition, it aims to enable students to develop an insight into current issues and possible future developments in employment law, with a view to advising a business on how to avoid any associated legal difficulties. This module is intended to give students a thorough overview of the law in this important area. The core skills which will be developed on this module, including analysis and problem solving skills, are intended to prepare students to operate effectively in the commercial world. By the end of the module, students should have a solid grounding in the essential principles of Employment Law and a clear appreciation of how to apply these to practical business situations.

Outline Syllabus

In the course of studying this module, students will cover the following key areas:

1. The nature of the employment relationship – including the different types of employment status and application of the various tests to determine whether someone is an employee.
2. The contract of employment.
3. Express and implied terms commonly found within employment contracts.
4. Termination of employment at common law.
5. Wrongful dismissal – understanding and applying the common law and statutory frameworks which provide protection from wrongful dismissal.

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6. Unfair dismissal – understanding and applying the statutory framework which provides protection from unfair dismissal, including what is classed as a fair reason for dismissal.
7. Redundancy – understanding and applying the statutory framework which provides protection from redundancy and identifying the difference between a business reorganising itself and making workers redundant.
8. Family friendly policies – understanding time and pay regulations as well as parental rights.
9. Discrimination within the workplace – understanding the six protected characteristics of age, sex, race, religion, disability and sexual orientation.
10. Bringing and defending a claim – the practicalities of employment-related litigation.

11. Reading List (Indicative list, current at time of publication. Reading lists will be published annually)

All textbooks and practitioner materials will be updated annually. Textbooks will be held in the latest edition and older editions will be withdrawn.

	<ul style="list-style-type: none"> • Title, author, publisher
Core Text	<ul style="list-style-type: none"> • Employment Law, Stevens C & Welch, R, Pearson
Essential Reading	<ul style="list-style-type: none"> • Cases and Materials on Employment Law, Painter, R and Holmes, A, OUP
Recommended Reading	<ul style="list-style-type: none"> • Employment Law, Sargeant, M & Lewis, D, Pearson • Selwyn's Law of Employment, Emir, A, OUP • Employment Law in Context, Willey, B, Pearson • Employment law, Aylott, E, Kogan Page • Employment law, Collins, H, OUP • Employment Law, Pitt, G, Sweet & Maxwell • Employment Law, Phillips, G & Scott, K, Legal Practice Guide

12. Learning and Teaching methods

This module will be taught by means of a 1 hour lecture and 2 hour seminar for ten weeks.

The lecture is designed to provide an overall context and explanation of the particular topic, drawing out links to past and future areas of study. Lectures may be viewed live or online. Students may ask questions, in real time if attending live or via electronic means if listening and watching online. It is envisaged that students will have completed introductory reading prior to experiencing the lecture.

The seminar is the forum in which students will typically contextualise their independent reading and study, alongside their learning from the lecture, in the context of realistic problem scenarios requiring the application of relevant law to factual disputes. Tutors will use a variety of techniques and pedagogic approaches in seminar delivery, including: tutor led discussion; group / team work; targeted and open questions; moots; debates; presentations (individual and group).

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Activity	Notional Hours of Study
Lectures	12 (10+2 revision lectures)
Independent lecture preparation	20
Seminars	20
Independent seminar preparation	50
Group preparation (including use of online discussion forum)	10
Assessment preparation and completion	38 (35 + 3 CBT and exam)
Total	150

13. Assessment methods.

13.2 Main assessment methods

This module will be assessed in two parts comprising:

Part A - objective testing of 1.5 hours duration (50%);

Part B - coursework (50%).

Since the learning outcomes tested by each part overlap (see further detail below) an overall pass of 40% will be sufficient to pass the assessment.

Rationale

This methodology reflects two key objectives: firstly, and most importantly, to assess that the learning outcomes set out above have been achieved by the students. Secondly, to align our assessment regime with that proposed by the Solicitors Regulation Authority for the new Solicitors Qualifying Exam.

According to the SRA's recent consultation paper, this assessment will use "Objective testing" to assess "Functioning legal knowledge", with the former defined as requiring "... a candidate to choose or provide a response to questions whose correct answer is predetermined. This might include multiple choice questions, matching questions, assertion/ reason questions or single best answer." They further state that "All assessments will be computer-based and will take place in timed conditions at secure assessment centres."¹

It is clear that the SRA does not intend objective testing to be a matter of mere recall, noting that the aim is to assess "candidates' ability to draw on sufficient knowledge to practise effectively" and "the

¹ Consultation, Training for Tomorrow: assessing competence 7 December 2015 at page 58, available at: <http://www.sra.org.uk/sra/consultations/t4t-assessing-competence.page#download>

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application of knowledge and legal processes...Questions will require candidates to identify relevant legal principles and apply them to factual issues to produce a solution which addresses a client's needs."²

The proposed assessment methodology, combining objective testing with a group presentation, we feel will combine an assessment of the outcomes of the SQE test with the broader skills outcomes for the module.

13.2 Reassessment methods

14. Map of Module Learning Outcomes to Learning and Teaching Methods and methods of Assessment

Module learning outcome		SS1	SS2	SS3	SS4	GTS1	GTS2
Learning/teaching method	Hours allocate						
Private Study	108	X	X	X	X	X	X
Group Study	10		X	X			X
Lecture	12	X			X		
Seminar	20	X	X	X	X	X	X
Assessment method							
Objective testing		X	X		X		
Coursework		X	X	X	X	X	X

15. Inclusive module design

² Ibid.

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The Collaborative Partner recognises and has embedded the expectations of current disability equality legislation, and supports students with a declared disability or special educational need in its teaching. Within this module we will make reasonable adjustments wherever necessary, including additional or substitute materials, teaching modes or assessment methods for students who have declared and discussed their learning support needs. Arrangements for students with declared disabilities will be made on an individual basis, in consultation with the Collaborative Partner's disability/dyslexia student support service, and specialist support will be provided where needed.

16. Centre where module will be delivered:

Pearson College London

17. Internationalisation

All the modules on the MLaw/LLB programme incorporate an international dimension wherever and whenever appropriate. This includes specific areas, such as EU statutory provisions in Contract and Employment Law and Human Right issues in Constitutional and Criminal Law, alongside an all pervasive discussion of the affects of international law on English Law as a whole. In addition to the formal incorporation of international jurisprudence within the programme, the students are actively encouraged to participate in the numerous opportunities the College offers involving comparative analysis within the business world including: guest speakers, industry workshops, alumni events, etc. Specifically, the MLaw/LLB programme provides a number of opportunities for all law students to participate in educational visits to various international institutions within the legal environment including the EU (in Strasbourg, Brussels and Luxembourg), the International Court of Justice in the Hague and the Nuremberg Trials Court House. These trips are heavily subsidised by the college to ensure affordability and maximum participation.

18. Partner College/Validated Institution:

Pearson Business School, part of Pearson College

19. University School responsible for the programme:

Kent Law School

FACULTIES SUPPORT OFFICE USE ONLY

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Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.

Date approved	Major/minor revision	Start date of the delivery of revised version	Section revised	Impacts PLOs (Q6&7 cover sheet)