

Module Title	Reference BSM647
Employment Practice	SCQF SCQF
	Level 11
	SCQF Points 15
	ECTS Points 7.5
Keywords	Created April 2010
Law, employment, tribunal	Approved March 2013
	Amended
	Version No. 1

This Version is No Longer Current

The latest version of this module is available [here](#)

Prerequisites for Module

None in addition to SCQF 11 entry requirement or equivalent.

Corequisite Modules

None.

Precluded Modules

None.

Aims of Module

To develop professional and advocacy skills in relation to contentious and non contentious employment cases and to develop knowledge and understanding of employment tribunal procedures

Learning Outcomes for Module

Indicative Student Workload

	Full Time	Part Time
<i>Contact Hours</i>		
Assignment	10	10
Seminars	50	50

Directed Study

Directed study	50	50
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Private Study

Private Study	40	40
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Mode of Delivery

Seminars, problem solving activities, case studies, drafting exercises, portfolio building and

On completion of this module, students are expected to be able to:

1. Advise a client on the key differences between employment and self-employment and draft a standard employment contract, an employment contract for a senior employee and a consultancy agreement
2. Understand the key principles of the employment law including Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) and apply this understanding to give written advice a potential transferee of the operation of TUPE
3. Advise a client in relation to termination of employment of an employee and draft a compromise agreement
4. Conduct and defend an application for an interdict in the sheriff court to enforce post termination of employment restrictive covenants (i.e. non competition, non solicitation and confidentiality)
5. Conduct and defend an unfair dismissal claim in the employment tribunal

Indicative Module Content

role play.

Assessment Plan

	Learning Outcomes Assessed
Component 1	1,2
Component 2	3
Component 3	4,5

Written coursework worth 30% of weighting (C1)

Practical exercise (drafting and role play) worth 50% of weighting (C3)

Written coursework worth 20% of weighting (C2)

Indicative Bibliography

1. HARVEY, R.J.S., 2017. *Harvey on industrial relations and employment law*. London: LexisNexis.
2. INCOME DATA SERVICES, 2013. *IDS employment law handbooks*. Andover: Sweet and Maxwell. (Available on WESTLAW)
3. SELWYN N.M., 2016. *Selwyn's law of employment*. 19th ed. Oxford: Oxford University Press.

The principles of employment and self employment, determining the existence of employment and self-employment, formation of the employment relationship, contracts of employment, consultancy agreements, drafting principles, the key principles of statutory and common law employment protection including unfair dismissal, redundancy, wrongful dismissal and Transfer of Undertakings, procedural fairness, negotiated exits ? the use of compromise agreements, court and employment tribunal procedure jurisdiction and choice of forum outline of sheriff court and employment tribunal procedure (including document drafting, interdict and other interlocutory hearings, advocacy in a mock tribunal hearing and in an interdict hearing), remedies, damages and compensation

Additional Notes

In addition to the texts in the indicative bibliography, the student will be required to purchase the course materials.