
Overview

This standard is about working directly with clients in relation to discrimination in employment or in the provision of goods, facilities or services. You will establish their needs and expectations of services, research information which is relevant to their situation and provide them with appropriate and accurate legal advice. You will also know how to prepare and present client cases to employment tribunals and take other court actions.

**Performance
criteria**

You must be able to:

- P1 explain to clients the services that you can offer in line with their requirements
- P2 check that clients' understanding of legal advice services is consistent with information you have provided
- P3 agree with clients where situations require immediate action in line with their requirements, and:
 - P3.1 take steps to implement this
- P4 agree next steps with clients in line with their requirements
- P5 agree further actions with clients in line with their requirements, including:
 - P5.1 procedures
 - P5.2 responsibilities
 - P5.3 time limits
- P6 analyse available client information to assign relevance to their case in line with your professional judgement
- P7 review sources of information to assess applicability to clients' situations
- P8 check that information obtained enables you to advise clients
- P9 analyse information received from clients and the research process to formulate options in line with clients' needs
- P10 present clients with information and possible options for action in line with organisational requirements
- P11 advise clients on the implications of possible options in line with organisational requirements
- P12 check clients' understanding of the advice offered in line with organisational requirements
- P13 open client case files in line with organisational procedures
- P14 design an action plan with clients in line with organisational processes, and:
 - P14.1 agree roles and responsibilities for progressing actions
- P15 progress actions on behalf of clients in line with agreed timescales
- P16 evaluate case progress against milestones and outcomes in line with organisational procedures

- P17 progress case outcomes to conclusion in line with organisational requirements
- P18 record client details and agreed actions in line with organisational requirements

Knowledge and understanding

You need to know and understand:

- K1 legislation, case law and guidance, relating to discrimination in:
 - K1.1 employment
 - K1.2 the provision of education
 - K1.3 housing
 - K1.4 provision of goods, facilities and services
 - K1.5 public functions
 - K1.6 clubs and associations
- K2 detailed aspects of relevant legislation and case law, including:
 - K2.1 comparators and hypothetical comparators
 - K2.2 transfer of Undertakings (Protection of Employees) (TUPE) and relevant employment contract law
 - K2.3 maternity, parental and carers' rights, responsibilities and benefits
 - K2.4 equal pay legislation
 - K2.5 employment status and how this can affect employment rights
 - K2.6 right to training and education in employment
 - K2.7 discrimination by membership organisations
- K3 the relationship between different legislation and the impact on clients cases
- K4 employment tribunal procedures
- K5 other discrimination court and tribunal procedures
- K6 documentation required for tribunals, including:
 - K6.1 questionnaires
 - K6.2 pleadings and statements of case
 - K6.3 grievance letters and appeals
 - K6.4 schedules of loss
 - K6.5 case plans and schedules of issues
- K7 how to use settlement agreements
- K8 employment appeals procedures, and the importance of following these in the preparation and presentation of challenges and appeals
- K9 the types of complex cases that clients may have, and:
 - K9.1 how these should be progressed

K9.2 which other agencies should be involved

K10 the importance of working co-operatively and constructively with other agencies in the best interests of the client

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Provide specialist discrimination legal advice

Developed by	Skills for Justice
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Originating organisation	Skills for Justice
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Relevant occupations	Legal Advisers; Legal Associate Professionals
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Suite	Legal Advice
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