

## Unit Title

**LA34                      First Line Discrimination Legal Advice**

## Summary

This Unit is designed to equip you with a broad understanding of the knowledge required to carry out a preliminary review of a client's presenting problem, to decide whether the problem is related to possible discriminatory actions and what the next steps should be for the client, including whether to refer a client on to a more specialist source of advice.

This is a new Knowledge Unit that has been developed for the independent Legal Advice sector. This Knowledge Unit supports the generic National Occupational Standards for Legal Advice.



**To meet the National Standard, you must be able to:**

- a) Identify and explain the legislative framework relating to discrimination in employment or the provision of goods and services and describe how to access more detailed information when required
- b) Explain the different grounds on which people can legally be charged with discrimination in the UK
- c) Describe the different forms of discrimination and how to recognise if a client has been subjected to discrimination in employment or in the delivery of goods and services
- d) Describe how to identify actions or activities that may indicate discrimination in employment
- e) Describe the key processes and procedures relating to legal discrimination actions
- f) Describe the possible consequences to the client of taking action and explain why it is important that the client understands this before proceeding

## Knowledge and Understanding

You must show that you know and understand:

1. A broad understanding of the legislative framework relating to discrimination in employment or the provision of goods and services in the UK and how to access further detail
2. The grounds on which actions on the basis of discrimination may be taken in the UK:
  - Sex
  - Race
  - Sexual orientation
  - Disability
  - Religion
  - Age
3. The different forms of discrimination and how each can be recognised:
  - Direct discrimination
  - Indirect discrimination
  - Victimisation
  - Harassment
4. Actions and activities that should be reviewed when considering whether there might be grounds for a case for discrimination in employment, including:
  - Recruitment and selection processes
  - Constructive dismissal
  - Whether the employer has been informed of the situation (e.g. pregnancy), how they were informed and what evidence is available to demonstrate that they have been informed
  - Parental rights
  - Equal pay
  - Employment contract law including the rights and responsibilities of employers and employees
5. Processes and procedures to take in relation to resolving employment discrimination problems or in the provision of goods and services, including:
  - Grievance and disciplinary procedures, including the time limits relating to individual incidents

6. The kinds of straightforward documentation that can be drafted with or on behalf of the client and how to do that:
  - Grievance letters
  - Tribunal claims
  
7. The possible consequences for the client and/or their circumstances of taking action on the grounds of discrimination including the possible impact of compensation awards and why it is important that the client is aware of these before progressing the case