11.4 Employment

Name: _____ Class: _____ Date: _____ **Total: 14 marks**

KEY WORDS unfair dismissal • statutory redundancy pay

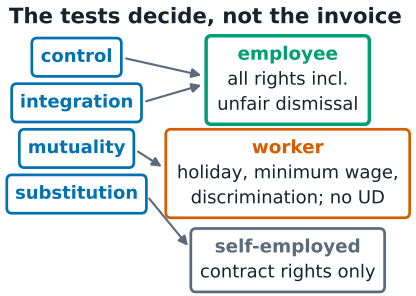
Objective

Apply the status tests, compute notice and statutory redundancy pay, and place the data duties.

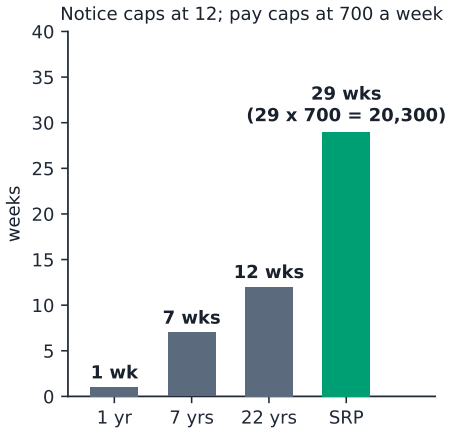
1 Key knowledge and worked examples

■ Tests, then arithmetic

Control, integration, mutuality, substitution - real terms beat paper (Autoclenz). Notice: 1 week under 2 years, a week a year to 12. SRP: week capped at 700, 0.5/1.0/1.5 by age band, 20 years counted.



Autoclenz [2011] UKSC 41:
real terms beat written pretence



The entitlements follow the status the tests find

■ Worked example. The Saturday baker

22 years ending at 59, weekly 800, last 20 years counted: 18 x 1.5 + 2 x 1.0 = 29 weeks ✓ at the capped 700 = 20,300 ✓; notice capped at 12 weeks ✓.

2 Practice

2.1 Twelve years' service ending at age 47, weekly pay 500 (under the cap). The banded weeks and the statutory redundancy pay. [4]

2.2 Statutory notice at: 1 year's service; 12 years; 15 years. [3]

2.3 A delivery rider supplies her own van, can subcontract, has five other clients, but works your rota nine months running. The likely status and the decisive tests. [4]

2.4 The app holds allergy data on 14,000 customers. Who is the controller, and the two ICO fine tiers. [3]