



Ilana Swimer Consultant Solicitor

Jurisdiction: England & Wales

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Overview

Ilana advises both companies and employees on all aspects of both non-contentious and contentious employment law. As well as advising on day-to-day HR matters, she has particular expertise advising on Employment Tribunal proceedings, restructurings, workplace disputes, discrimination claims, managing sickness absence, restrictive covenants, disciplinary and grievance matters, exit strategies, settlement terms, TUPE and business reorganisations.

Across her career, Ilana has advised clients from a broad range of industries and notably, clients in the financial services, legal, advertising and media sectors.

Expertise

Non-contentious matters

- Performance issues, disciplinary and grievance procedures
- Negotiating severance packages and managing the departure of employees of all levels of seniority
- Sickness absence and stress at work
- Discrimination in the workplace
- Negotiating, drafting and advising on directors' service agreements, contracts of employment, staff handbooks and policies
- Restrictive covenants
- Disciplinary and grievance matters
- Redundancy and restructurings (including individual and collective consultations)
- Corporate support on transactions
- TUPE (including information and consultation)
- Settlement Agreements
- Consultancy Agreements

Contentious matters

- Employment Tribunal proceedings including constructive unfair dismissal, unfair dismissal, disability discrimination, unlawful deduction from wages and sex discrimination
- Employment claims in the High Court including interim injunction proceedings, restrictive covenants and breach of contract

Cases

- Enforced restrictive covenants in relation to departed employees who set up in competition and solicited and dealt with former clients.
- Advised an employee on the enforceability of restrictive covenants on joining a new employer.
- Negotiated departure arrangements and severance packages for senior executives.
- Advised a leading global law firm, an advertising agency, a financial institution and a management consultancy firm in respect of day-to-day internal employee matters.
- Advised various employees on flexible working requests.
- Advised various employees on redundancies taking effect during their absence on maternity leave.
- Advised a technology company and a charity on the departure of an underperforming senior employee.
- Advised on the employment status of individuals working on an ad hoc basis and engaged via an app.
- Advised a radio production company on the departure of a founding shareholder.
- Acted for Bear Stearns on its successful defence of a disability discrimination and unfair dismissal claim.
- Advised EDF on the employment aspects of its £12.5 billion takeover of British Energy and the £5.8 billion disposal of its networks distribution business.
- Advised a cultural arts centre on its merger and restructuring.
- Advised an SME on TUPE, warranties and indemnities on its acquisition.

Career

- 2017** **Keystone Law** | *Consultant Solicitor*
- 2012-2017** **Halebury** | *Consultant*
- 2000-2012** **Herbert Smith** | *Trainee, Associate, then Senior Associate*
- 2002** Qualified as a solicitor