

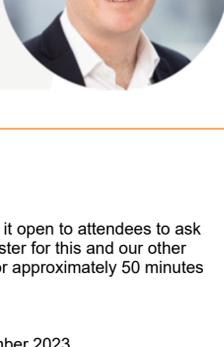


Employment Law e-bulletin - October 2023

Welcome to our October employment law e-bulletin. The annual CIPD/Simply Health survey has been published, with the average absence rate rising to a ten year high. We also cover the annual Employment Tribunal award statistics and newly published ICO guidance on processing data relating to workers' health. Looking ahead, we consider what the next general election could mean for employment law. This month's case report highlights the importance of line managers being able to recognise how performance can be impacted by menopausal symptoms and we also look at the outcome of a recent survey on the most useful adjustments to help with hormonal fluctuations in the workplace.

All of our other regular features are here too, including links to our weekly podcasts. Scroll down to find out more.

INNES CLARK
Head of Employment Team



ESSENTIAL EMPLOYMENT LAW WEBINARS

In our employment law question time webinar on 14 November we throw it open to attendees to ask any employment law related questions to our expert panel. You can register for this and our other upcoming essential employment law webinars now. The webinars last for approximately 50 minutes and are free to attend. Click on the link below for further details.

- [Employment law question time](#) - 14 November 2023
- [New laws on preventing sexual harassment in the workplace](#) - 5 December 2023
- [What to expect in employment law in 2024](#) - 11 January 2024

Our webinars are applicable to the law of Scotland, England and Wales. If you can't attend on the day please register anyway and we will send you a recording of the webinar.

Feedback from recent attendees at these seminars include "always informative and relevant, presented by people with strong business acumen", "good content, well explained", and "always my 'go to' employment law webinar".

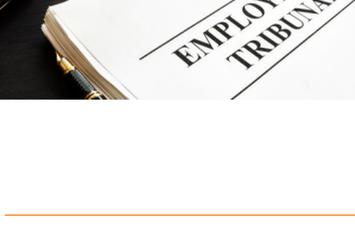
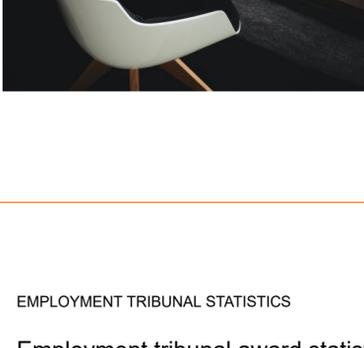
For links to our recent essential employment law webinars see [Employment Law Training](#).

WORKPLACE WELLBEING

Sickness absence rates at highest for ten years

This year's CIPD/Simplyhealth health and wellbeing at work survey shows that the average absence rate has increased sharply.

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EMPLOYMENT TRIBUNAL STATISTICS

Employment tribunal award statistics published

The annual employment tribunal award statistics have been published for 2022/2023.

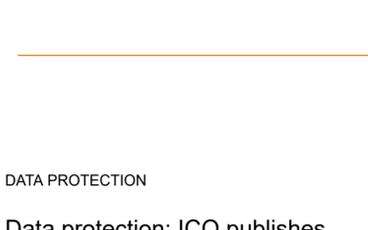
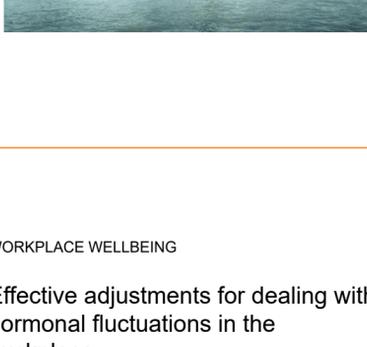
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WORKPLACE RIGHTS

What will the next general election mean for employment law?

With a general election likely next year we look at what that might mean for workplace rights.

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WORKPLACE WELLBEING

Effective adjustments for dealing with hormonal fluctuations in the workplace

A recent survey asked 2000 workers what they thought was most helpful.

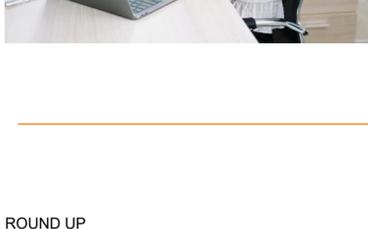
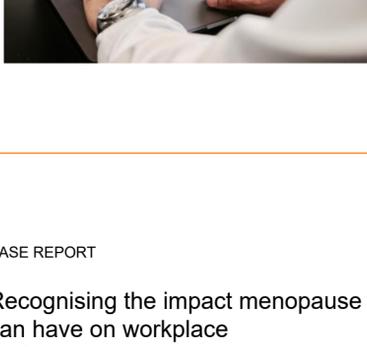
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DATA PROTECTION

Data protection: ICO publishes detailed guidance on processing health data

The guidance will assist employers to comply with obligations under UK GDPR and DPA 2018.

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CASE REPORT

Recognising the impact menopause can have on workplace performance

A recent case highlights the importance of training managers to recognise when and how menopause may impact on work performance.

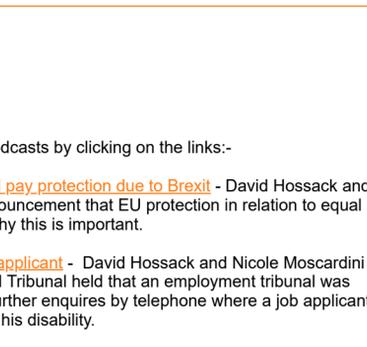
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ROUND UP

Employment law round-up

Our monthly round up of the employment law related news you may have missed.

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Our weekly employment law podcasts

You can listen to our most recent employment law podcasts by clicking on the links:-

[UK Government promises no watering down of equal pay protection due to Brexit](#) - David Hossack and Sarah Gilzean discuss a recent UK Government announcement that EU protection in relation to equal pay will be replicated in UK legislation and discuss why this is important.

[Employer discriminated by not phoning disabled job applicant](#) - David Hossack and Nicole Moscardini discuss a recent case where the Employment Appeal Tribunal held that an employment tribunal was entitled to find that an employer should have made further enquires by telephone where a job applicant was struggling to submit an online application due to his disability.

[Managing sickness absence](#) - David Hossack and Alan Delaney discuss updated guidance recently published by ACAS in respect of managing sickness absence as well as some of the other key issues to consider.

[Can the variation of an employee's terms amount to a dismissal?](#) - David Hossack and Lily Braunholtz discuss the recent case of Jackson v University Hospitals of North Midlands NHS Trust, where the EAT considered the question of whether an employee's contract of employment had been terminated by an employer's unilateral imposition of a new contract.

[Paternity leave to become more flexible](#) - David Hossack and Caroline Maher discuss proposed changes to the statutory paternity leave regime.

[Taking Care of Working Carers](#) - Lindsey Cartwright discusses with David Hossack the new employment rights for carers that are on the horizon.

For links to more of our podcasts see our [Podcast Library](#).

EMPLOYMENT LAW GUIDELINE & TIMELINE

To see our Brief Guide to Employment Law in Scotland, England and Wales, [click here](#).

For details of upcoming changes in employment law, see our [Employment law reform timeline](#).

FIXED-PRICE ONLINE MEDIATION SERVICE FOR EMPLOYMENT DISPUTES

Also a reminder that we have a [fixed-price online mediation service for employment disputes](#) in response to what we predict will be a changing demand for how disputes are resolved. Headed by David Hossack, one of the most experienced mediators in Scotland, the service provides a swift and cost effective way of resolving employment disputes.

EMPLOYMENT LAW FACT CARD - 2023/24

Our Employment Law Fact Card is full of useful information for employers including disciplinary and redundancy checklists, Employment Tribunal award limits, family friendly leave entitlements and national minimum wage rates. We will be sending out the latest edition to our mailing list later this month.

If you are not already on our mailing list and would like a hard copy of our free Fact Card please email us at employment@morton-fraser.com with your name and postal address and we will send it on to you. Alternatively, you can click [here](#) for a web version or [here](#) for a printable version.

You can also find lots of useful employment law information on our free app which is available to download from the App Store or Google Play. For further details and a link to the download see:

[MF HR Mobile - Our Employment Law App](#)

"...the app is gorgeous, very well designed with great functionality and looks." - Legal IT Insider (www.legaltechnology.com)



Contact us

If you have any questions on the content of this e-bulletin or if you would like to discuss any other employment issue then please contact any of the Employment Law Partners listed below or speak to your usual Morton Fraser employment team contact:-

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