

Edition 1

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Chinwag!

A Warm Welcome

Welcome to the very first edition of *Chinwag!*

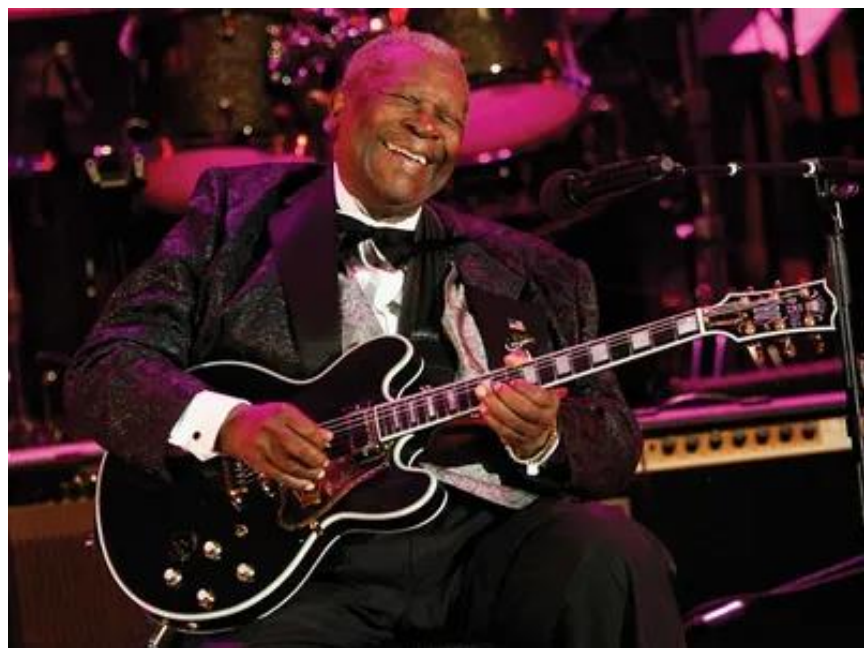
We're excited to bring you a fresh blend of intriguing stories, quirky insights, and the latest news from the world of workplace learning and employment law - all delivered with a touch of humour and a dash of wisdom.

Whether you're starting your day with a quiet morning coffee, taking a break during a busy afternoon, or winding down in the evening, we've got something here to spark your curiosity and brighten your day.

So, dive in, have a laugh, learn something new, and enjoy the journey. We're thrilled to have you with us!

Warm regards,

Team Serious About Solutions



“THE BEAUTIFUL THING ABOUT LEARNING IS THAT NO ONE CAN TAKE IT AWAY FROM YOU” –
B. B. KING

News and Views



Image by [Daniel](#) from [Pixabay](#)

Thanks for the Tip

Employers to pass gratuities back to their workers

Most hospitality customers now pay for their services using a debit or credit card. This has meant that tips intended for the staff who have given great service have instead ended up in the pockets of the employer – who can choose whether to retain or distribute them.

From October 2024, a new law becomes effective which will make it illegal for employers to retain staff tips. A statutory code of conduct on fair and transparent tipping will provide employees with the right to see the organisation's tipping policy. The policy must include provision to record all the tips received, and the data must be made available on staff request.

It will be up to the employer how they pass on the tips to staff (whether directly to individuals or equal splitting of the 'pot', but this will be after the deduction of tax – which HMRC is eagerly awaiting!

Serious About Solutions say:

1. If you are a customer who wishes to tip a specific member of staff, tell the individual concerned that you have tipped them so they can look out for it.
2. If you are an employer in the hospitality sector start working on drafting your policy now or, if you work for a chain, speak to your Human Resources department immediately. If you need help, get in touch with us here at ***Serious About Solutions*** where our policy work is at a very competitive rate.
3. If you are employed in the hospitality sector, look out for your organisation's policy in October 2024. Encourage all newbies to do the same. If you have a staff representative or access to a trade union, they will be able to assist you – or maybe act on your behalf if you wish to retain anonymity. Again – contact us here at ***Serious About Solutions*** if you need any help.

The Polkey Principle

Does the winner take it all?

There is a misconception that if a claim is successful in an Employment Tribunal, the claimant will inevitably receive a hefty compensation payment. This isn't guaranteed to be the outcome for several reasons.

Curious Cases

In the infamous case of *Polkey v AE Dayton Services Ltd (1988)*, the tribunal ruled that Mr Polkey had been unfairly dismissed as the employer failed to implement their own policies correctly. However, the tribunal ruled that if the policies had been correctly applied, Mr Polkey would have almost certainly been dismissed. As such, poor Mr Polkey was awarded the princely sum of only £1!

The strength of the claimant's case can rely heavily on how it is presented under cross examination of all witnesses at the hearing.

Things to consider when making a wrongful dismissal claim are:

- Timelines, legal technicalities and court protocol
- Bundles of evidence (these can range from a few dozen to thousands of pages)
- Exchanging documents can be complex
- Legal fees

If you, or someone you know needs help preparing for an Employment Tribunal, send us an email at info@seriousaboutsolutions.com.

Who Nose!

In this week's edition of our community advice section, we help Gemma who is unhappy with how her colleague behaves in the office.



"Hi SAS,

I work in a shared workspace. One of my colleagues has a few 'peculiarities' that sometimes make the work environment challenging. My colleague is approaching retirement and insists on wearing carpet slippers in the office - which I can't stand to see. They routinely use a tatty looking handkerchief instead of the tissues we have in the office. Last week we had a bit of a tense exchange after I asked them not to hang their dirty handkerchief on a shared surface. To make things worse, I have to put up with them loudly blowing their nose several times per hour."

- G, Doncaster

Serious About Solutions say:

"Hi Gemma,

Sharing a workspace can be difficult, especially when others around you aren't considerate of your feelings. When facing these sorts of challenges, it is important to manage your expectations and your emotions.

By approaching your colleague directly, you have taken a sensible first step to addressing the problems - but you need to be mindful that a heated conversation can easily be used as a grounds for legitimising complaints against you. If you feel your colleague isn't receptive to your requests or suggestions, you should always step away and speak to a line manager. If you feel things aren't getting better, approach your manager again. In the unfortunate event the problems persist - you may be able to raise a complaint further up your organisation. For specifics, be sure to check your employment contract and any starter documents you signed when you started working or ask the designated HR staff for general advice.

As for your colleague's choice of footwear, there is little you or your organisation can do unless there is a clearly defined uniform policy that your colleague has agreed to



Expert Insights

as a condition of his employment; however if you feel the slippers present a danger to your colleague or others, you can raise this concern with your manager.

The matter you are most likely to receive support on is the handkerchief. While many work environments outside of hospitality, food production and healthcare will not have robust or explicitly communicated personal hygiene and workplace safety procedures, your employer retains a legal responsibility to ensure you have a safe working environment. Your manager(s) should communicate expectations around the use and storage of the handkerchief accordingly.”

Useful resources for this case study:

- Legislation
 - Health and Safety at Work Act 1974
- Organisation policies
 - Health and safety (Duty of care)
 - Performance/appraisal/Key Performance Indicators (KPI) and anything which mentions teamwork
- Line manager and/or Human Resources (Personnel)

Sincere thanks to our first guest writer and newsletter collaborator, Kelly Coleman. Kelly is from [Consumer Health Labs](#) – an organisation of health practitioners, statisticians and researchers who combine their expertise to probe, test and publish their findings about health issues and trends. If you would like a copy of the following, or any of our other Fact Sheets, email is at info@seriousaboutsolutions.com.

9 Tips for Staying Healthy While Travelling for Work



Image via [Unsplash](#)

If you travel for work often, you will know that being on the road can take a toll on your health and well-being. That's why it's essential to be intentional about taking care of yourself while you're away from home. From eating healthy to staying active to getting enough sleep, Kelly Coleman and [Serious About Solutions](#) have provided nine tips for staying healthy while traveling for work:

1. Eat healthily

As when you're home, [eating healthy is a big part](#) of living a healthy and stress-free life. Just because you're on the road doesn't mean you have to live on fast food and greasy restaurant meals. When possible, pack your own [healthy snacks and meals](#) or look for restaurants that serve healthy fare. And make sure to stay hydrated by drinking plenty of water throughout the day.

2. Get moving

It can be tough to find time to exercise when you're traveling, but it's essential to make an effort to [get some activity every day](#). Whether it's going for a run in the morning, taking a stroll in your lunch break, or doing a quick workout in your hotel room, find ways to move your body and get your heart rate up.

3. Make time for self-care

When you're constantly on the go, it's easy to let self-care fall by the wayside. But Wellington World Travels says to remember to take some [time out for yourself](#), even if it's just 10 minutes here or there. Read a book, take a relaxing bath, or call a friend — whatever helps you unwind and recharge.

4. Take safety precautions

Don't let your guard down just because you're away from home; be sure to [take safety precautions](#) both at your hotel and when exploring new cities. For example, always use the deadbolt when staying in a hotel room. Avoiding a ground-level room and locking your luggage while away can also boost your safety.

5. Stay organized

One of the best ways to stay healthy while traveling is to stay organized and keep on top of your schedule. Invest in a good planner or use a digital calendar app to [keep track of your plans and appointments](#), so you don't miss a beat (or a flight!).

6. Relax when you can

It can be tempting to try to cram in as much as possible when you're in a new city, but overscheduling yourself will only lead to burnout. Try to relax and slow down when you can; you'll enjoy your trip much more if you do!

If your current career makes it difficult to relax when you need to, consider your options. There are a number of options in the IT field, for example, that may be more interesting and less stressful than your current job. Search out an online degree program that offers multiple certifications. With flexible scheduling, you'll be able to complete your degree and career transition quickly.

7. Get enough sleep

Getting restful sleep can be hard when you're constantly on the go, but you must prioritize rest as much as possible. Make sure to go to bed at a reasonable hour and, as Sutter Health recommends, avoid working or [using screens right before bed](#) so you can get the shut-eye you need.

8. Invest in technology



Tons of great apps and devices can help you stay healthy while traveling — from fitness trackers that help you make sure you're getting enough steps in each day to meditation apps that help you de-stress. Take time to research the technologies available to help you reach your health and fitness goals, and use them in your daily routine.

9. Take your dog with you

Traveling with your furry friend can provide a host of health benefits, both for you and your pet. Dogs are excellent travel companions, and with the help of a GPS collar, you can keep tabs on them while you're away from home. This can help put your mind at ease and ensure they stay safe and healthy while you're on the road.

Conclusion

Travelling for work can be an exciting opportunity to see new places and meet new people, but it can also be challenging to stay healthy. You can make it easier to stick to your routine and stay on track with your health goals by practicing hotel safety, bringing your pup along (do check with the hotel first), implementing self-care habits, and following the other tips we've provided. You'll be well-prepared no matter where your career takes you!

Our library is continuously expanding. For access to this and our other Fact Sheets, click here to [join our mailing list](#).

Tell Me the Old, Old Story!

This week, we take a humorous look at some of the UK's oldest workers.

Born in 1906, Pierre Jean "Buster" Martin apparently refused to take a day off from his job cleaning vans for a plumbing company on his 100th birthday. He continued to work for them right up to when he passed away in April 2011 – aged 104 years!

Ray Stanley became the unofficial postman for the residential home he was staying in at 98 years of age. Royal Mail kindly kitted him out with a uniform and posties' satchel, which helped with his wheelchair deliveries.

With the normal retirement age for UK fire fighters being 60 years, Michael Rimmer bucked all the trends by completing the fire fighters' 12-week training course at the ripe old age of 56 years!

[Triple Diamond Healthcare Services](#) recently ran a story about June Shepherd who began with them as a care worker when she was 73, and is still working four days a week at aged 81 years.

The
Lighter
Side

In the Know

Talking Points in the World of Work

This week:

- **Right to switch off**

The detail around this forthcoming code of practice is currently being fine-tuned.

Essentially it provides workers with the right to be disconnected from work outside of their scheduled hours – whatever they may be at that point in time.

Experts are not anticipating an avalanche of ET claims in respect of employers calling or emailing staff while they are on leave or having other time off. However, where the tribunal outcome goes against the employer, if they have failed to observe the right to switch off, they are likely to incur larger compensatory penalties – with potential uplifts of up to 25%. This would be particularly pertinent if a claimant felt they were forced to give up their job because the employer paid little regard to their right to personal time.

- **Employment Rights bill**

Finite details of the first major piece of work for the newly elected government are expected shortly, in time for a planned implementation date of 13 October 2024. It is expected to cover:

- The policing of zero hours contracts through a new Fair Work Agency
- A Disability and Race bill requiring employers to maintain and submit pay differentials, and which aims to reduce the associated pay gap
- Some rights, currently only triggered after 2 years with an employer, to become available from the first day of employment
- Tightening up of 'Fire and Rehire' code of practice

- **Workers (Predictable Terms and Conditions) Act 2023**

Aimed at those working shifts and in the gig economy, this Act gives them the right to request more 'predictable terms and conditions'. Further amendments to the detail of the Act are pending.

Readers Corner



In our Readers' Corner you get a chance to let us have your questions, feedback, diary dates and Community Spotlights.

- **Questions**

Let us have your questions about the world of work and we will publish our expert advice in our *Chinwag!* newsletter

- **Feedback**

Tell us what you think about our website, publications and services

- **Diary Dates**
 - **27 September 2023**
Macmillan Coffee Morning
 - **13 – 14 November 2023**
The British Business Show 2024

*Thanks for taking the time to read our inaugural edition of **Chinwag!***

As this is the first of many, we really need your feedback so that we can continue to make improvements to our publications and services.

*Share this newsletter with anyone you think might be interested in what we do here at **Serious About Solutions**. Don't forget to [join our mailing list](#). See you in the next edition of **Chinwag!***

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