

CHINWAG!

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Welcome to the January 2026 edition of *Chinwag*

As the new year begins, this edition marks an important development for *Chinwag!* with the introduction of a new **Learning + Development (L+D)** section.

Alongside our established employment law and workplace insight, L+D creates space for reflection, practical learning, and skill-building that supports better decisions before issues escalate. This month's content explores how Employment Tribunals read behaviour, why preparation matters long before litigation begins, and how everyday workplace choices can carry lasting consequences.

You'll also find our *Diary Dates of Note* and a January glossary to support shared understanding of key terms and concepts referenced throughout the issue.

As always, *Chinwag!* is designed to inform rather than instruct — supporting clarity, confidence, and thoughtful decision-making in modern workplaces.

Regards

Team Serious About Solutions

Contents

Learning and Development

[Preparing for Appraisals – Fact Sheet](#)  5

[Preparing for Appraisals – Continued](#) 6

[Why Some Learning Happens Best in Conversation](#)  7

[Learning Before Litigation](#) 8

Personal and Professional Development

[Why Do You Do What You Do?](#)  10

Expert Insight

[Building Your Global Team of Freelancers](#) 

Derek Goodman (Guest Writer)
..... 11–13

News and Views

[With Equal Eyes – Introduction](#)  15

Curious Cases

[When Small Decisions Carry Big Consequences](#)  17

The Lighter Side

[Made to Measure – When Productivity Was Measured in Ink](#)  19

[Made to Measure – A Measure of Confidence](#)  20

In the Know

[How Tribunals Read Behaviour – Part One](#)  22

[Employment Rights Act 2025 – Statutory Sick Pay](#)  23

[Employment Rights Act 2025 – Day-One Family Rights](#)  24

[Employment Rights Act 2025 – Whistleblowing](#)  25

[Employment Rights Act 2025 – Trade Union Reforms](#)  ... 26

[Other Employment Law Updates](#)  27

Training Supplement

[Drop-In Surgery](#)  29

[Essential Guide to Disciplinarys](#) 30

[ET1 Workshops](#) 31

[The SAS Employment Tribunal Workshop Suite](#)  32

[Training and Events Calendar – January–February](#) 33

[Training and Events Calendar – February](#) 34

[Diary Dates of Note](#) 35

[Readers' Corner](#) 36

[Glossary](#) 37–38

 *The headphone icon indicates that an audio version is available on that page.*

Learning and Development



**Learning that builds confidence, clarity,
and better conversations at work**



Fact Sheet: Preparing for Appraisals

Without the Last-Minute Rush



Appraisals shouldn't begin a few weeks before the meeting. They work best when preparation happens steadily — while events are still fresh and evidence is easy to find.

The early months of the year are an ideal time to pause, review, and prepare — whether your appraisal cycle formally starts in April or later.

Use this checklist to prepare thoughtfully, calmly, and on your own terms.

1. Review the last quarter

Before looking forward, take stock of what has already happened.

- What work have you completed since your last formal review?
- What responsibilities increased, shifted, or changed?
- What challenges did you manage well?
- Where were expectations unclear or moving targets?

Tip: Don't rely on memory alone — look back at emails, calendars, project notes, and feedback.

2. Gather evidence as you go

Strong appraisals are built on evidence, not impression.

- Save examples of positive feedback (emails, messages, comments).
- Keep notes of completed projects or outcomes.
- Record informal praise, not just formal recognition.
- Note occasions where you stepped beyond your role or supported others.

Tip: Evidence gathered early avoids rushed reconstruction later.

Fact Sheet: Preparing for Appraisals

Without the Last-Minute Rush

(continued)

3. Reflect on learning and development

Appraisals are not just about outputs — they're about growth.

- What new skills have you developed this year?
- What training, mentoring or learning have you engaged in?
- What learning would have helped you perform better?
- Where do you want to build confidence next?

Tip: Learning includes experience, not just courses.

4. Check alignment — expectations vs reality

Misalignment often sits at the heart of difficult appraisals.

- Are your objectives still realistic and relevant?
- Have priorities shifted without formal discussion?
- Are you being assessed against criteria you were never told about?
- Have informal expectations replaced formal ones?

Tip: Early conversations prevent later misunderstandings.

5. Prepare your narrative

Appraisals are conversations — not audits.

- Can you clearly explain your contribution over the year?
- Can you evidence your achievements calmly and factually?

- Can you articulate challenges without defensiveness?
- Can you describe what support would help you perform better?

Tip: Confidence grows when your story is clear to *you* first.

6. Look ahead — without rushing

Future planning works best when it's realistic.

- What do you want to focus on in the next phase of work?
- What development would genuinely help you succeed?
- What boundaries or clarity would improve performance?
- What does a "good" appraisal outcome look like for you?

Tip: Preparation reduces pressure — it doesn't increase it.

Why this matters

Early, steady preparation:

- reduces stress
- improves fairness
- supports better conversations and
- avoids last-minute scrambles for evidence

Good appraisals are built over time — not assembled at the deadline



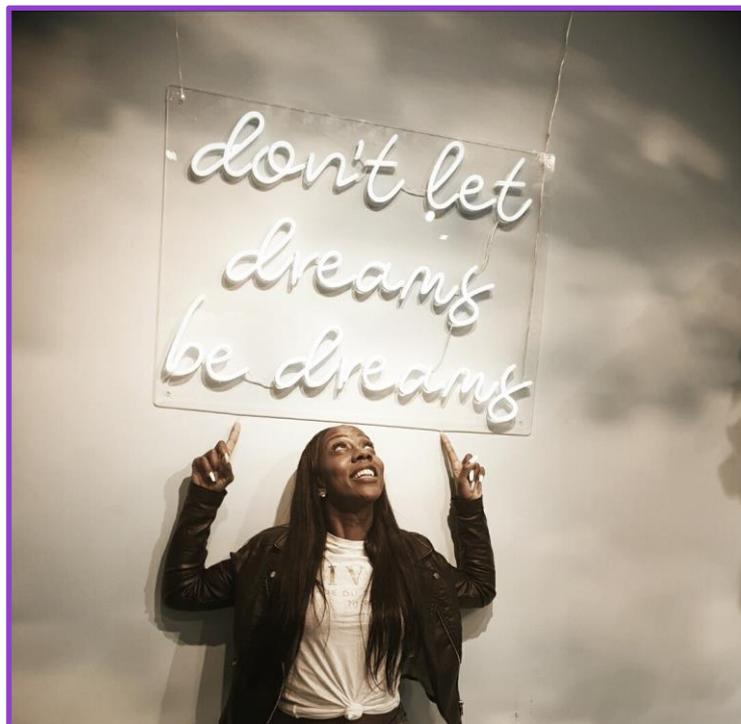
Why Some Learning Happens Best in Conversation

Some of the most meaningful learning doesn't happen in training rooms or formal programmes, but in reflective conversation — where experience, uncertainty and curiosity are given space.

As part of our *Learning in Practice* series, *Chinwag!* has been exploring how thoughtful, practice-led dialogue can help make sense of the issues shaping working lives today. One such conversation took place with Life Coach **Adelle Thompson** of **AT Enrich**, creating space to reflect on current workplace trends and how individuals and organisations navigate them.

This 45-minute episode is not about polished performance or fixed outcomes, but about creating a thinking space where learning can emerge naturally — across professional boundaries, life stages and lived experience. We're grateful to Adelle for the generosity, openness and care she brought to the conversation.

To listen, click here: [Stop Letting Companies Play with You](#)





Learning Before Litigation

– A hard truth about Employment Tribunal deadlines

On Christmas Eve, *Serious About Solutions* received a request for assistance with an Employment Tribunal preliminary hearing scheduled for **7 January 2026**.

The claimant had received the Tribunal's instructions in **September 2025**.

Sadly, due to our existing caseload and the complexity of the matter, we were unable to take the case on at such short notice.

This is why timing matters.

When the Employment Tribunal writes to you with directions, the deadlines are not arbitrary.

If you are given three months, it is to allow time to gather evidence, prepare documents, and take informed advice for that stage of the proceedings.

Use every second of that time.

It will not always be possible to secure an extension or a procedural reprieve, and leaving matters until the last moment can severely limit your options.

The same principle applies in the workplace.

If something does not feel right — seek advice early.

There is no such thing as acting *too early* when it comes to workplace learning and employment law.

Before you start completing a claim form

Before attempting to draft an ET1, it is advisable to have the following documents to hand. These documents help you check accuracy, dates, and clarity — and reduce the risk of avoidable errors.

Your contract of employment (including any variations)

Payslips covering the relevant period

Management and HR records, where available, such as:

- appraisal records
- sickness or absence records
- occupational health reports
- investigation reports
- grievance or disciplinary outcome letters
- appeal outcome letters
- any relevant employer policies

If you do not yet have access to all of these documents, that in itself may be important — and worth addressing before proceeding.

Resources

Before completing an ET1, it is advisable to familiarise yourself with the official guidance and early conciliation requirements.

ACAS – Early Conciliation

Mandatory before most Employment Tribunal claims.

Explains process, time limits, and what happens if settlement is (or is not) reached.

 www.acas.org.uk/early-conciliation

GOV.UK – Employment Tribunal claims

Official guidance on submitting a claim, deadlines, and what happens after an ET1 is lodged.

 www.gov.uk/employment-tribunals

Employment Tribunal time limits

Time limits are strict and calculated from specific legal trigger points.

 www.gov.uk/employment-tribunal-time-limits

Note: These resources explain process and procedure — they do not assess the strength of your case.

Personal and Professional Development



Discovering pathways to new horizons



Personal and Professional Development

Why Do You Do What You Do?

Personal navigation, purpose, and knowing the difference

Most of us spend a significant portion of our lives at work, yet we are rarely encouraged to pause and ask a deceptively simple question:

Why do I do what I do?

Not *how* we do it.

Not *how well* we perform.

But **why this work sits where it does in our lives.**

That question matters more than it first appears.

When work becomes unstable by design

Earlier in my career, I worked in an environment where someone was *always* under disciplinary or formal capability procedures. As soon as one individual was “dealt with”, attention shifted elsewhere. The atmosphere never settled. People worked on edge, wondering when it would be their turn.

What struck me most was that those targeted were often the most efficient, committed, and dependable members of staff. Performance was not protection. Once selected, the outcome felt pre-determined.

The unspoken ethos was clear:

You should be eating, sleeping and breathing this job.

Then, one day, someone quietly but firmly pushed back:

“With all due respect — Admin Officer is what I do. It is not what I am.”

That sentence landed with extraordinary force.

“What I do” and “what I am”

Since then, I have found it helpful to distinguish between two entirely legitimate ways of relating to work:

Work as what I do

A role. A profession. A means of earning a living. Important, often skilled, but bounded.

Work as part of who I am

Something identity-anchored: advocate, teacher, adviser, carer, creator. Work that expresses values as much as competence.

Neither position is superior.

Every healthy organisation needs *both*.

Too many people operating purely in “job mode” can drain energy, organisational personality and initiative.

Too many people whose entire identity is bound up in their work can create unhealthy competition, burnout, and, at worst, sabotage.

Problems arise not because one approach is wrong — but because **we are rarely helped to recognise which orientation we are currently operating from**, or when it might be time to shift.

Why this matters for navigation

Understanding *why* you do what you do becomes a form of personal navigation.

It helps you:

- recognise when pressure is about performance — and when it is about identity
- set boundaries without guilt
- understand why certain environments drain you while others energise you
- notice when you are merely *doing a job* — or when you are inhabiting something that feels more like *who you are*

Continue on next page...



Expert Insight – Derek Goodman, Guest Writer

Building Your Global Team of Freelancers: How to Make It Happy, Productive, and Built to Last

As more organisations make increasing use of freelance contractors, the lines between teams, contributors and collaborators can become blurred. In this edition of *Chinwag!*, our guest writer **Derek Goodman** shares practical management insights to help organisations work more seamlessly with freelance professionals — creating clarity, trust and productive working relationships from the outset.



For UK business owners, the world of work has expanded far beyond local borders. A designer in Lisbon, a copywriter in Nairobi, and a developer in Warsaw might all contribute to your next project — all from their own time zones and contexts. But managing a global team of freelancers isn't just about hiring talent; it's about cultivating trust, clarity, and rhythm across cultures and screens.

In a Nutshell

Running a high-performing freelance team requires:

- Clear communication systems that balance autonomy and alignment.

- Cultural and time-zone awareness to sustain morale and efficiency.
- Transparent expectations around deliverables, pay, and feedback.
- Strategic use of tools to bridge distance — not amplify friction.

When these principles are practiced consistently, teams become both happier and more productive, and business owners gain a scalable model that adapts as they grow.

Define What Success Looks Like

Start with clarity. Every global team needs a shared definition of success — and it begins with the work structure. Define the following early:

Continued...

Building Your Global Team of Freelancers

- Core outcomes: What must be achieved by when?
- [Communication cadence](#): Weekly sync? Monthly retros?
- Decision rights: Who owns which part of the project?
- Payment and review cycles: When feedback and funds flow predictably, stress disappears.
- **Respecting time zones** — use asynchronous tools like [Notion](#), Slack threads, and Loom videos.
- **Acknowledging cultural differences** — holidays, communication styles, or hierarchy norms differ.
- **Celebrating contributions publicly** — visibility equals belonging.

Respect the “Invisible Culture” of Freelancers

Freelancers are not employees — they are business owners in their own right. The best relationships treat them as collaborators, not contractors. Build trust by:

Where and How to Find the Right Freelancers

Knowing [how to find freelancers](#) efficiently is half the battle. Many UK businesses start with referrals or local networks — but online platforms offer global reach. One proven route is hiring through Fiverr. The platform lets you vet candidates by:

Evaluation Factor	Why It Matters	What to Look For
Portfolio samples	Evidence of real skill	Clarity, originality, alignment with your brand
Experience & tenure	Stability, reliability	2+ years active, repeat clients
Rates	Budget alignment	Balance between cost and quality
Ratings & reviews	Social proof	Not just high scores but detailed client feedback

Combining these factors helps you create a freelancer shortlist that fits both your goals and your culture.

Building Your Global Team of Freelancers

... Continued

Build Connection, Not Just Communication

Messages and meetings alone don't build cohesion. Connection comes from context — knowing the “why” behind every task.

[Use vibrant storytelling](#) and transparency to humanize your process:

- Share your company's mission and how each freelancer contributes.
- Openly discuss client outcomes and wins.
- Create small shared rituals — end-of-week highlights, shoutouts, or GIF-laden victory threads.

How to Keep a Global Team Happy (and Loyal)

Freelancers stay longer when they feel respected, paid promptly, and part of something that values their craft. Here are practical ways to create lasting engagement:

- Offer consistent feedback, not just revisions.
- [Pay on time](#) — no exceptions.
- Rotate opportunities for leadership or creative input.
- Send personal thank-yous when projects end.
- Avoid ghosting after project completion. Maintaining contact means you won't need to start from zero when new work arises.

Another Resource Worth Bookmarking

For broader guidance on remote team culture, [Remote's Global Hiring Guide](#) is an excellent free resource. It covers compliance, pay equity, and international collaboration for business owners scaling distributed teams.

FAQ

Q1. How do I protect my business when hiring freelancers abroad?

[Use contracts that define](#) intellectual property rights and payment terms clearly. Many platforms (like Fiverr or Upwork) provide built-in protection mechanisms.

Q2. What's the best way to ensure freelancers deliver on time?

Agree on milestones instead of single deadlines. Review mid-way, not at the end.

Q3. How do I build loyalty in a freelance workforce?

Loyalty comes from fairness and purpose. Offer predictable pay, consistent feedback, and involve freelancers in meaningful projects — not just tasks.

Conclusion

Global teams of freelancers aren't a trend — they're the future structure of work. For UK businesses, this means access to broader talent, faster scalability, and richer creative diversity. Success depends on systems that honour both freedom and focus. When your team feels seen, paid, and part of something purposeful, productivity isn't enforced — it's unleashed.

News and Views



Current Issues, Workplace Realities, And What They Mean In Practice

COMING SOON!!

With Equal Eyes



A new News & Views series examining equality in practice across the Equality Act 2010

Over the coming year, *Chinwag!* will be introducing a new recurring series within **News & Views** titled **With Equal Eyes**.

The series will take a structured look at each of the protected characteristics under the Equality Act 2010, examining how equality is understood, administered, and experienced in practice — beyond policy statements and formal compliance.

Each instalment will focus on a single characteristic, applying the same analytical lens throughout, and exploring where well-intentioned frameworks succeed, where they fall short, and where tensions routinely arise in real working lives.

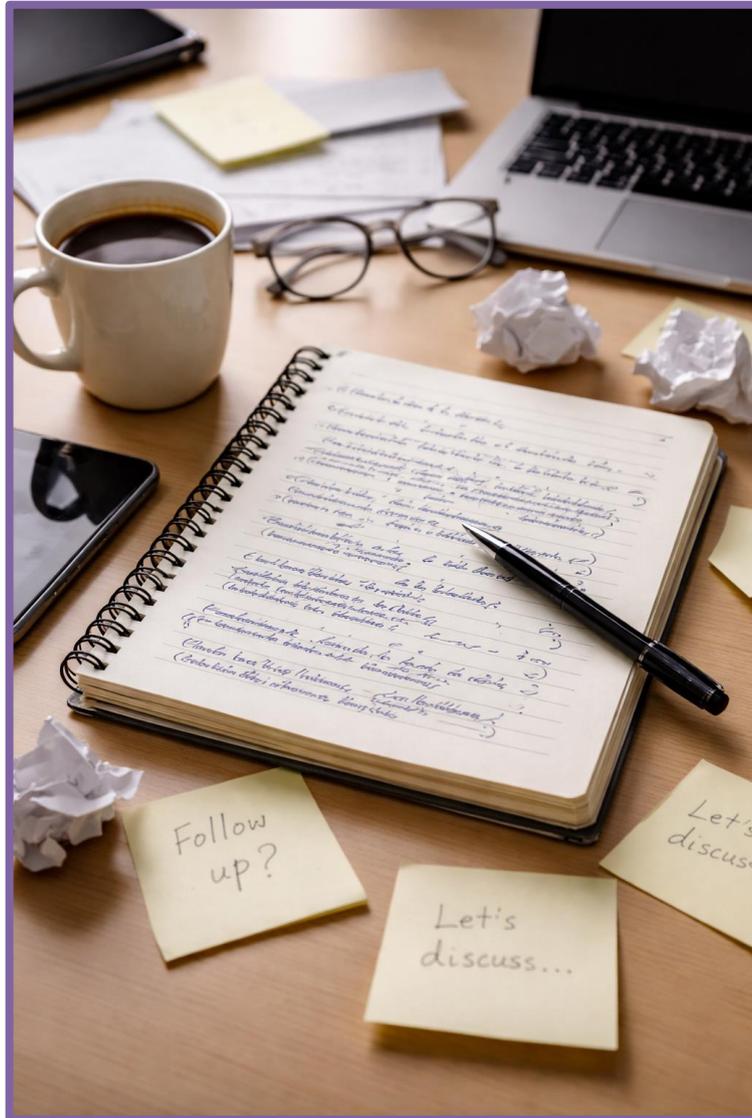
Written for a broad readership — including staff and their representatives, HR professionals, policy-makers, and even the proverbial next-door neighbour — the series is intended to prompt thoughtful conversation about how equality is understood and experienced in practice and the impact it has on the world of work.

The series will begin next month with a focus on **Disability**, looking at how support mechanisms operate in practice and why the social model of disability has yet to become the default lens in many workplaces.

With Equal Eyes:

Each instalment in this series applies the same analytical lens to a different protected characteristic, allowing patterns — and tensions — to emerge over time.

Curious Cases



To pause on ordinary workplace moments — and consider how meaning, judgement and consequence are created



When Small Decisions Carry Big Consequences

How Everyday Actions Become Workplace Judgements

The Case of the Unsent Email

(London Borough of Waltham Forest v Omilaju, adapted)

An employee drafted a strongly worded email expressing frustration about management decisions. The language was intemperate, but the message was never sent.

Before the draft could be deleted, it was discovered by management during a routine IT review. Disciplinary action followed swiftly.

The employer treated the existence of the draft as evidence of misconduct, arguing that intent mattered more than transmission. The employee was dismissed.

On review, the Tribunal disagreed.

It found that while the tone of the draft was inappropriate, the fact that it had not been sent — and caused no harm — was critical. Drafting, the Tribunal observed, is often part of thinking, not acting. To punish a private, unsent expression as though it were a public act was disproportionate.

The dismissal was ruled unfair.

The Meeting That Wasn't Mandatory

A team meeting was labelled as “strongly encouraged” rather than compulsory.

One employee, already working beyond contracted hours that week, chose not to attend. They notified their manager in advance and continued with their usual duties.

Nothing was said at the time.

Weeks later, during a performance discussion, the missed meeting resurfaced. It was cited as evidence of a “lack of engagement”, despite no prior indication that attendance had been expected or that concern had been noted.

What unsettled the employee was not the feedback itself, but its timing. An informal choice had quietly hardened into a negative judgement — without warning, discussion, or opportunity to clarify expectations.

Sometimes the difficulty lies not in what was missed, but in how meaning is attached to it after the fact.

What These Stories Reveal

At first glance, these cases appear unremarkable: an unsent email, a missed meeting.

Neither involves harm, disruption, or bad faith. Yet in both, ordinary actions were later reinterpreted as indicators of attitude, intent, or commitment — with significant consequences.

Together, they highlight a recurring workplace pattern:

- Meaning is often assigned *after* the event
- Informality can obscure expectations
- Proportion is lost when interpretation replaces evidence

These stories remind us that fairness at work depends not only on rules and processes, but on clarity, context, and restraint.

Before escalating, it is worth pausing to ask:

Are we responding to what actually happened — or to the story we have told ourselves about it?

The Lighter Side



Every edition needs a moment to breathe. In ***The Lighter Side***, we take a gentle step back from the serious business of work and look at the everyday quirks, ironies and unexpected moments that remind us we are human after all.

In this edition, we look at:

***Made to Measure –
When Productivity Was Measured in Ink***

IT'S FUNNY BUT IT'S TRUE!!

Made to Measure:

When Productivity Was Measured in Ink



In the late 19th and early 20th centuries, before performance reviews, KPIs, or time-tracking software, some employers relied on a far simpler metric to assess productivity:

ink.

In offices dominated by handwritten ledgers, correspondence, and carbon copies, ink was both essential and expensive. Bottles were issued sparingly, and in some workplaces, meticulously logged.

The logic was straightforward - if flawed:
more ink used must mean more work completed.

Clerks whose inkwells ran dry too quickly were viewed with suspicion. Were they careless? Wasteful? Writing too much instead of efficiently?

Those whose ink lasted longer, meanwhile, were praised for their “economy” — a quality loosely equated with diligence and restraint.

What this system failed to account for was handwriting.

Some clerks wrote in bold, looping script. Others favoured fine, careful strokes. A neat hand could complete pages using half the ink of a colleague whose pen pressed more firmly.

The result was predictable.

Workers began adjusting their writing styles — lighter pressure, narrower lettering, strategic pauses to avoid refilling. In some offices, ink became something to be conserved rather than used, even when accuracy or clarity suffered.

There were reports of staff quietly diluting ink with water. Others developed a habit of blotting excessively, stretching supplies just enough to avoid comment.

Managers, meanwhile, congratulated themselves on introducing a system that appeared both economical and objective.

Eventually, as typing replaced handwriting and ink ceased to be a meaningful cost, the practice faded away.

But its legacy lingers as a reminder that the urge to measure productivity has always existed — and that when organisations fixate on the wrong indicator, people will adapt accordingly.

Sometimes the problem isn't that employees aren't working hard enough.
It's that someone chose the wrong thing to count.

IT'S FUNNY BUT IT'S TRUE!!



Made to Measure:

A Measure of Confidence

In my early days as a civil servant, our office ran out of a particular form. The stationery office was due to deliver more the following week, but in the meantime my line manager asked me to visit another regional office and borrow a handful.

When I explained what I needed, the facilities manager reached for a ruler.

He pressed a stack of forms together, measured their depth carefully, removed one portion, and handed it to me.

“There you go,” he said. “There are fifty forms there.”

Back at my desk, I counted them.

There were exactly fifty.

Curiosity got the better of me.

The following week, when I returned the forms, I deliberately added three extra — just to see what would happen.

The facilities manager took out his ruler again, measured the stack, and said, without hesitation:

“There you go. You’ve returned three too many.”

No counting. No checking. Absolute certainty.

In the Know



This Month's Features

- **How Tribunals Read Behaviour**
Part 1: When Persistence Becomes Attrition
- **Immediate Employment Rights Act 2025 changes**
- **Other updates**



In the Know

Reading public Tribunal decisions

How Tribunals Read Behaviour



Part One:

When Persistence Becomes Attrition

Employment Tribunals routinely deal with weak claims, poorly drafted pleadings, and litigants acting without representation. None of this is unusual. What does begin to attract judicial concern, however, is litigation that appears to rely on **volume rather than merit**.

A recent Tribunal decision offers a useful illustration of how judicial reasoning shifts once repeated claims begin to form a pattern — and why the language used by judges matters.

The case in outline

The case concerned a claim brought against a community-based organisation and an individual respondent. The claimant alleged race discrimination and unpaid wages following the termination of an arrangement with the organisation.

At a preliminary hearing, the Tribunal reviewed extensive documentation, including records of **53 earlier claims brought by the same individual**, many of which had already been struck out or dismissed. The Tribunal noted that the current claim substantially repeated matters previously determined in earlier proceedings.

Part-way through the hearing, the claimant disengaged. The Tribunal proceeded in his absence.

Judicial findings

The claim was struck out on multiple grounds. The Tribunal found that it had **no reasonable prospect of success** and amounted to an **abuse of process**, as it sought to relitigate issues already decided.

Aspects of the claim were described as **vexatious**, **incoherent**, and in part **out of time**. The Tribunal also ordered the claimant to pay the respondents'

costs — a step not taken lightly, and typically reserved for cases where **conduct**, rather than simply weak legal argument, is in issue.

Why “attrition” matters

In explaining its reasoning, the Tribunal described the claimant’s conduct as **attritional**.

Outside legal contexts, attrition is often understood as natural erosion or gradual loss. In Tribunal language, however, it has a more pointed meaning. Here, it referred to a **pattern of repeated litigation** perceived as placing cumulative strain on respondents and judicial resources, rather than advancing a dispute towards resolution.

Attrition, in this sense, is shorthand for litigation that appears designed to **wear down rather than resolve**. Judges do not choose that word casually.

A Note from SAS

*This case serves as a reminder that **Tribunals do not assess claims in isolation once patterns begin to emerge**.*

Regardless of the perceived merits of any individual claim, repeated litigation can alter how conduct is interpreted. Persistence may begin to look strategic. Repetition may begin to look abusive. And once a Tribunal forms the view that proceedings are being used as a tactic rather than a remedy, judicial sympathy rapidly diminishes.

This is not about discouraging legitimate claims. It is about understanding how behaviour is read once a case enters the system. The Tribunal exists to resolve disputes — not to absorb pressure by attrition.



PRACTICAL GUIDANCE



Employment Rights Act 2025

1. Statutory Sick Pay (SSP): a fundamental reset

 **IMMINENT**

Focus:

Rights people need to understand now — because behaviours, policies and expectations may already need to shift.

What has changed

Two long-standing barriers to Statutory Sick Pay are being removed:

SSP becomes a day-one right

Employees no longer need to wait several days before qualifying.

The lower earnings limit is removed

Low-paid and insecure workers who were previously excluded are now brought within scope.

Why this matters in practice

SSP has historically operated less as a safety net and more as a filter — excluding precisely those workers most likely to need it.

This change means:

sickness absence should no longer trigger immediate financial anxiety for the lowest-paid workers;

employers need to review absence policies that implicitly assumed SSP was *not* payable;

informal “just come in anyway” cultures become legally and ethically harder to defend.

What needs to shift now

Payroll and HR systems must assume SSP eligibility from day one.

Managers need to stop treating early sickness absence as a credibility issue.

Workers should understand that staying home when unwell is no longer a financial gamble.

A necessary caveat: health, safety, and shared responsibility

The removal of financial barriers to Statutory Sick Pay is

intended to reduce pressure on people to attend work when unwell. However, it does **not remove wider health and safety responsibilities**.

Both workers and employers remain subject to the **Health and Safety at Work etc. Act 1974**, which places duties on:

employers, to protect the health and safety of staff and others; and

employees, to take reasonable care for their own health and safety and that of colleagues.

In practical terms, this means the question is no longer simply “*Can I afford to stay at home?*” — but also:

“If I choose to attend work while unwell, have I taken reasonable steps to minimise risk to others?”

For example:

persistent sore throat, coughing, sneezing or fever should prompt reflection, not stoicism;

attending work while symptomatic without basic precautions (such as taking a COVID test where appropriate) may raise health and safety considerations, not just attendance ones.

The shift here is subtle but important:

SSP removes the financial gamble

Health and safety law retains the duty of care

Together, they support a culture where staying away when unwell — or taking sensible precautions — is part of responsible workplace behaviour, not a lack of commitment.



PRACTICAL GUIDANCE



Employment Rights Act 2025

2. Day-one family rights: expectations change from the outset

 IMMINENT

Focus:

Service-length thresholds have been removed for key family-related rights:

- Statutory paternity leave is available from day one
- Unpaid parental leave is also a day-one right.

What has changed

Service-length thresholds have been removed for key family-related rights:

Statutory paternity leave is available from day one

Unpaid parental leave is also a day-one right

Why this matters in practice

These changes challenge the idea that family responsibilities must be “earned” through loyalty or tenure.

They also:

- reduce pressure on new starters to delay family plans;
- remove the awkward gap between *having the right* and *feeling permitted to use it*;
- place early emphasis on workplace culture, not just policy wording.

While these rights already existed in law, removing service thresholds changes when people feel able to use them — shifting family responsibility from something tolerated later to something recognised from the outset

What needs to shift now

- Induction processes should reference family rights explicitly.
- Line managers need to understand that new starters are no longer “exceptions”.
- Workers should feel able to raise family-related needs without fear of early judgement.



PRACTICAL GUIDANCE



Employment Rights Act 2025

3. Whistleblowing: clearer protection where safety and dignity are at stake

IMMINENT

Focus:

Whistleblowing protections are clarified and strengthened where disclosures relate to:

- **workplace safety**, and
- **harassment or serious misconduct**.

What has changed

This reinforces that speaking up about harm is not “trouble-making” — it is a protected act.

Why this matters in practice

- Too many people remain silent because:
- concerns are reframed as “interpersonal issues”;
- harassment is minimised until it escalates;
- those who speak up are subtly sidelined.
- Clearer protection shifts the balance.

What needs to shift now

- Employers must treat early disclosures as risk alerts, not reputational threats.
- Workers should document concerns and understand that the law protects *process*, not perfection.

Organisations should review whether their whistleblowing routes feel safe in reality, not just on paper.

Priority note:

Whistleblowing policies should be treated as live safety documents, not dormant procedures — and reviewed urgently in light of these changes.

Support note:

Navigating whistleblowing policies and procedures can be both logistically and emotionally challenging. If you are unsure how to proceed — or simply want to talk through your options — it is sensible to seek advice. This may include speaking with HR, a trade union representative, or an independent adviser such as Serious About Solutions.



PRACTICAL GUIDANCE



Employment Rights Act 2025

4. Trade union reforms: recalibrating the balance

 IMMINENT

Focus:

Key restrictions introduced in recent years are being rolled back, including:

- Removal of minimum service level requirements during industrial action
- Changes to ballot thresholds and protections, easing the route to lawful action

Why this matters in practice

This signals a shift away from viewing collective action as a disruption to be managed, and back towards seeing it as part of a functioning industrial relations system.

It also:

- strengthens protections for union representatives;
- reinforces the legitimacy of collective voice;
- changes the tone of engagement between employers and organised labour.

What needs to shift now

- Employers should re-engage with unions as stakeholders, not obstacles.
- Workers may feel more confident participating in collective processes.
- HR and leadership teams should anticipate dialogue rather than defaulting to containment.

EMPLOYMENT LAW UPDATES

A concise recap of key statutory changes already in force — plus those approaching

1. Duty to Prevent Sexual Harassment (In force: 26 October 2024)

Employers are now under a **positive duty** to take reasonable steps to prevent sexual harassment in the workplace.

This goes beyond responding to complaints.

Employers are expected to:

- assess risk,
- put preventative measures in place, and
- act proactively rather than reactively.

Failure to do so may result in increased compensation awards in Employment Tribunal claims.

2. Carer's Leave Act 2023 (In force: 6 April 2024)

Employees now have a **day-one right** to take up to **one week of unpaid carer's leave** per year to care for a dependant with a long-term care need.

This is a standalone statutory right and does not replace other leave entitlements.

Employers must handle requests fairly and cannot penalise staff for exercising this right.

3. Flexible Working as a Day-One Right (In force: 6 April 2024)

Employees can now request flexible working **from the first day of employment**.

Key changes include:

- two requests permitted per year,
- shorter decision timeframes, and
- a requirement for employers to consult before refusing a request.

The emphasis has shifted towards **meaningful consideration**, not automatic rejection.

4. Holiday Pay and Working Time Reforms (In force: 1 January 2024)

Reforms clarified how holiday pay should be calculated, particularly for:

- irregular-hours workers, and
- part-year workers.

Rolled-up holiday pay is now permitted again in limited circumstances, provided it is clearly itemised and paid correctly.

Accurate record-keeping is essential to avoid underpayment disputes.

5. Neonatal Care (Leave and Pay) Act 2023 (In force: 6 April 2025)

Parents whose babies require neonatal care are now entitled to **additional statutory leave and pay**, separate from existing maternity, paternity, or shared parental leave.

This entitlement applies where a baby requires neonatal care within the first 28 days of life and remains in care for a qualifying period.

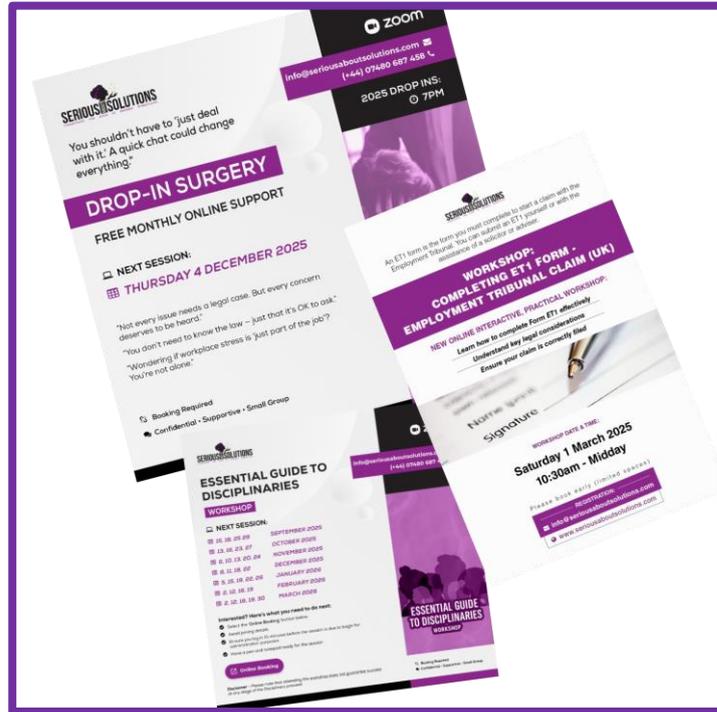
Employers must ensure policies and payroll arrangements reflect this right.

Quick Reference

- ✓ Sexual harassment prevention duty
 - ✓ Carer's leave (day-one right)
 - ✓ Flexible working reforms
 - ✓ Holiday pay clarification
 - ✓ Neonatal care leave and pay
-

Training Supplement

What's On at SAS – January 2026



THIS MONTH'S HIGHLIGHTS

— Drop-In Surgeries – December Spotlight

What they are, who they help, and why they continue to be one of the most valued SAS support services.

— ET Modules – Your 2025–26 Learning Pathway

A clear overview of all modules, including ET1, ET3, COT3/Settlement Agreements, Case Management, and the Essential Guide to Disciplinary.

— December Calendar – At a Glance

All sessions, dates, and times for the month, helping you plan your learning with ease.

— NEW: Employment Law Updates in Audio

You can now listen to our employment law updates. These short, clear explainers break down what the latest legal changes mean for you, why they matter, and how they could affect day-to-day working life. They're designed to support different learning preferences and make staying informed easier than ever.

— Guest Podcast Appearance – AT Enrich with Adelle Thompson

Sally-Ann discusses workplace red flags, boundaries, and how to protect your position in complex employment landscapes in conversation with Adelle.

[Listen to the podcast here](#)



Drop-In Surgery: Employment Law Clinic



You shouldn't have to 'just deal with it.' A quick chat could change everything."



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2025 DROP INS:
🕒 7PM

DROP-IN SURGERY

FREE ONLINE SUPPORT

Next session:
Tue 29 January 2026
7:00pm – 8:00pm
Small group appointments to sense-check workplace concerns.

"Not every issue needs a legal case. But every concern deserves to be heard."
"You don't need to know the law – just that it's OK to ask."
"Wondering if workplace stress is 'just part of the job'? You're not alone."

📅 Booking Required
🗨 Confidential • Supportive • Small Group



Tuesday 29th January 2026

6:30pm – 7:15pm

Booking: [Select here](#)

Short 1-to-1 online appointments to sense-check workplace problems and clarify your options before things escalate. Ideal for concerns about disciplinaries, probation, sickness/adjustments, grievances, or early-stage "something isn't right" situations. Pre-booked time slots only.

- **Location:** Online via Zoom

- **Format:** Online 1-to-1 appointment
- **Length:** 30–60 minutes
- **Who it's for:** Anyone dealing with a workplace issue and needing quick, informed guidance
- **Bring:** Any letters/emails, key dates, meeting invites
- **Booking:** [Select here](#)
- **Cost:** Free!
- **Important:** Provides guidance, not representation. Follow-up services available separately



ESSENTIAL GUIDE TO DISCIPLINARIES

WORKSHOP

📅 NEXT SESSION:

- 📅 5, 15, 19, 22, 26 JANUARY 2026
- 📅 2, 12, 16, 19 FEBRUARY 2026
- 📅 2, 12, 16, 19, 30 MARCH 2026

Interested? Here's what you need to do next:

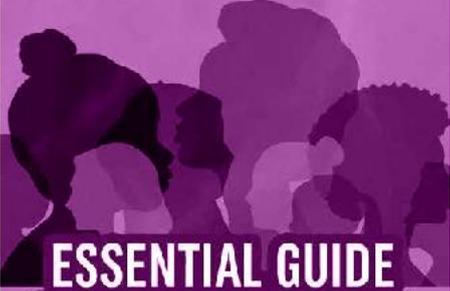
- ✔ Select the 'Online Booking' button below
- ✔ Await joining details
- ✔ Ensure you log in 15 minutes before the session is due to begin for administration purposes
- ✔ Have a pen and notepad ready for the session

 [Online Booking](#)

Disclaimer - Please note that attending this workshop does not guarantee success at any stage of the Disciplinary process!



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**ESSENTIAL GUIDE
TO DISCIPLINARIES**
WORKSHOP

💰 Booking Required

👥 Confidential • Supportive • Small Group



EMPLOYMENT TRIBUNAL WORKSHOPS

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FREE SESSION

📅 UPCOMING SESSIONS (ET1 WORKSHOPS):

- 📅 21 JANUARY 2026 (WEDNESDAY) - 10:00AM - 11:30AM
- 📅 22 JANUARY 2026 (THURSDAY) - 6:00PM - 7:30PM
- 📅 24 JANUARY 2026 (SATURDAY) - 10:30AM - MIDDAY

A clear walkthrough of the ET1 form and drafting strategy

Online via Zoom appointments to sense-check workplace problems and clarify your options before things escalate. Ideal for concerns about disciplinaries, probation, sickness/adjustments, grievances, or early-stage "something isn't right" situations. Pre-booked time slots only.

What to expect:

- ✔ Online via Zoom appointments to sense-check workplace problems.
- ✔ Ideal for concerns about disciplinaries, probation, grievances, or early-stage issues.
- ✔ Duration: 30 - 60 minutes.
- ✔ Bring: Work-related letters, emails, and key dates for analysis.

 [Online Booking](#)

Important Notice: These sessions provide guidance, not representation.
Pre-booked time slots only.



📅 Booking Required
🔒 Confidential • Supportive • Small Group



The SAS Employment Tribunal Workshop Suite

*“Success is not luck —
it’s preparation, clarity and knowing what a win truly means for you.”*

THE SAS EMPLOYMENT TRIBUNAL WORKSHOPS

About this workshop suite

The SAS Employment Tribunal Workshop Suite is designed to support informed decision-making before and during the Tribunal process.

Participation does not imply that a claim should be brought, pursued, or continued. In many cases, the purpose of early preparation is to help individuals decide **whether proceeding is appropriate at all**, and what alternatives may better serve their interests.

Every year, tens of thousands of workers begin the Employment Tribunal journey. Most claims never reach hearing: 77–79% conclude beforehand.

WHY MOST CLAIMS NEVER REACH A HEARING

- Settled via Acas: 71% of non-hearing cases.
- Withdrawn by claimant: often due to settlement or stress.
- Struck Out: around 8% for procedural failings.

OUTCOMES WHEN CASES DO REACH HEARING

- Only 14–23% reach full hearing.
- Claimant success: approx. 27%.
- Employer success: remaining proportion.

CLAIMS NOT ACCEPTED AT ALL

Many claims never enter the system due to time limits, formatting errors, missing information or invalid ACAS EC details.

BEING “IN WITH A CHANCE”

Before proceeding, claimants should reflect on key questions:

- Why are you making

- What does a “win” look like?
- Can you afford representation?
- What could a loss mean for you?

HOW SAS PREPARES YOU

ET1 Workshop

Helps you submit a correct, accepted ET1 and understand the strategic purpose of your claim.

ET3 Workshop

Demystifies the employer’s response and prepares counterarguments that shape early strategy.

COT3 and Settlement Agreements Workshop

Explains negotiation timing, evaluating offers and understanding agreement wording.

Case Management Workshop

Shows you how to navigate bundles running into hundreds or thousands of pages and comply with Case Management Orders effectively.

Before You Begin Your ET Journey

- Why am I making this claim?
- What does a win look like for me?
- Can I afford the representation I might need?
- What could a loss mean for me professionally or financially?

These questions don’t discourage — they prepare. Our ET workshop suite helps you answer each one with clarity and confidence.

January – February 2026

Training and Events Calendar

*All January 2026 Serious About Solutions workshops are free —
No fee or membership needed*

Drop-in Surgery

Drop-In Surgery

~~6 January 2026~~

- Thursday 29 *January* 2026
- 7:00pm – 8:00pm
Short appointments to sense-check workplace concerns.

[Select here](#)

Disciplinary Workshop

Essential Guide to Disciplinarys

- Wednesday 15 January 2026
- 7:00pm – 8:30pm
A practical workshop on representation, mitigation, evidence and fairness.

[Evening Session](#)

ET1 Workshop – Morning

Completing Form ET1

- Wednesday 21 January 2026
 - Wednesday 18 February 2026
- 10:00am – 11:30am
A clear walkthrough of the ET1 form and drafting strategy.

[Morning Session](#)

ET1 Workshop – Evening

Completing Form ET1

- Thursday 22 January 2026
- 6:00pm – 7:30pm
A clear walkthrough of the ET1 form and drafting strategy.

[Evening Session](#)

Disciplinary Workshop

Essential Guide to Disciplinarys

- Tuesday 20 January 2026
- 7:00pm – 8:30pm
A practical workshop on representation, mitigation, evidence and fairness.

[Evening Session](#)

ET1 Workshop – Saturday

Completing Form ET1

- Saturday 24 January 2026
- 10:30am – 12:00pm
Weekend session for those needing flexible attendance.

[Saturday Session](#)

** Note: Past sessions shown struck through for reference*

FEBRUARY 2026

Training and Events Calendar

**Check website to see if fee or membership needed to attend*

Disciplinary Workshops

Essential Guide to Disciplinary Workshops

- Monday 2 February 2026
7:00pm – 8:30pm
A practical workshop covering representation, mitigation and procedural fairness.

[Evening Session](#)

Disciplinary Workshops

Essential Guide to Disciplinary Workshops

- Thursday 12 February 2026
7:00pm – 8:30pm
A practical workshop covering representation, mitigation and procedural fairness.

[Evening Session](#)

Disciplinary Workshops

Essential Guide to Disciplinary Workshops

- Monday 16 February 2026
7:00pm – 8:30pm
A practical workshop covering representation, mitigation and procedural fairness.

[Evening Session](#)

Disciplinary Workshops

Essential Guide to Disciplinary Workshops

- Thursday 20 February 2026
7:00pm – 8:30pm
A practical workshop covering representation, mitigation and procedural fairness.

[Evening Session](#)

ET1 Workshops – Morning

Completing Form ET1

- Wed 18 February 2026
10:00am – 11:30am
A clear walkthrough of the ET1 form and drafting strategy.

[Morning Session](#)

ET1 Workshops – Evening

Completing Form ET1

- Thursday 19 February 2026
6:00pm – 7:30pm
A clear walkthrough of the ET1 form and drafting strategy.

[Evening Session](#)

ET1 Workshops – Saturday

Completing Form ET1

- Saturday 21 February 2026
10:30am – 12:00pm
Weekend session for those needing flexible attendance.

[Saturday Session](#)

Disciplinary Workshops

Essential Guide to Disciplinary Workshops

- Friday 20 February 2026
7:00pm – 8:30pm
A practical workshop covering representation, mitigation and procedural fairness.

[Evening Session](#)

Drop-in Surgery

Drop-In Surgery

- Thursday 26 February 2026
7:00pm – 8:00pm
Short appointments to sense-check workplace concerns.

[Select here](#)

* **Note:** Past sessions shown struck through for reference

Diary Dates of Note in the Workplace



January is...

1 <ul style="list-style-type: none"> ▪ New Year's Day ▪ World Peace Day (<i>Christian</i>) 	20 <ul style="list-style-type: none"> ▪ World Day of Social Justice
2 <ul style="list-style-type: none"> ▪ World Introvert Day 	21 <ul style="list-style-type: none"> ▪ International Day of Acceptance
4 <ul style="list-style-type: none"> ▪ World Braille Day 	24 <ul style="list-style-type: none"> ▪ International Day of Education
5 <ul style="list-style-type: none"> ▪ Twelfth Night / Epiphany Eve (<i>Christian</i>) 	25 <ul style="list-style-type: none"> ▪ Burns Night (<i>Scottish cultural observance</i>)
6 <ul style="list-style-type: none"> ▪ Epiphany (<i>Christian</i>) 	26
10 <ul style="list-style-type: none"> ▪ World Hindi Day 	27 <ul style="list-style-type: none"> ▪ International Day of Commemoration in Memory of the Victims of the Holocaust Day (<i>EU / UK</i>)
11 <ul style="list-style-type: none"> ▪ International Thank-You Day 	28 <ul style="list-style-type: none"> • Data Protection Day • GDPR, data handling, monitoring, and employee privacy issues in focus
18 <ul style="list-style-type: none"> ▪ World Religion Day (Interfaith) 	29 <ul style="list-style-type: none"> ▪ Lunar New Year (<i>date varies – East & South-East Asian cultures</i>)
<ul style="list-style-type: none"> ▪ 18–25 – Week of Prayer for Christian Unity (<i>Christian</i>) 	31 <ul style="list-style-type: none"> ▪ World Leprosy Day (<i>observed last Sunday of January</i>)

Readers' Corner

Your Questions • Your Voice • Your Community



Questions

What's puzzling you about the world of work?

Whether it's employment law, workplace culture, learning and development or navigating tricky situations, send in your questions.

We'll answer selected submissions in future editions of *Chinwag!*.

Feedback

Have thoughts on this edition of *Chinwag!* or ideas for future topics?

We'd love to hear from you. Your insights guide our content and help shape the questions that matter.

Community Notes

Are you hosting an event, launching a project or involved in something others might want to know about?

Share it with us and we'll highlight a selection of community updates here.

★ **Contact Serious About Solutions** ★

Employment Law • Workplace Learning • Strategic Support

✉ info@seriousaboutsolutions.com

☎ (+44) 7480 687 458

🌐 www.seriousaboutsolutions.com

GLOSSARY of TERMS USED

A quick guide to the key terms used in this edition of Chinwag!

A

Attrition (Tribunal context)

A term used by Tribunals to describe litigation behaviour that appears designed to wear down the other party through repetition, volume, or persistence rather than to resolve a genuine dispute. Once conduct is characterised as attritional, judicial sympathy can diminish rapidly.

Abuse of Process

A finding that a claim (or part of a claim) is being used improperly — for example, to relitigate issues already decided, to exert pressure, or to pursue an ulterior purpose rather than a legitimate remedy.

ACAS Early Conciliation (EC)

A mandatory pre-claim process in most Employment Tribunal cases. ACAS facilitates discussion between parties before a claim can be lodged. An EC certificate is required for an ET1 to be accepted.

C

Case Management Orders (CMOs)

Formal directions issued by the Tribunal setting out what each party must do, and by when.

Failure to comply can result in evidence being excluded, costs orders, or claims being struck out.

Costs Order

An order requiring one party to pay some or all of the other party's legal costs. In Employment Tribunals, costs orders are relatively rare and are usually linked to conduct rather than the merits of the case.

E

ET1

The claim form used to start Employment Tribunal proceedings. Errors, omissions, or lack of clarity at this stage can significantly limit later arguments.

ET3

The response form submitted by the employer. It sets out admissions, denials, and the employer's account of events, shaping the issues the Tribunal will consider.

H

Hearing vs Non-Hearing Outcomes

Most Employment Tribunal claims do not proceed to a full hearing. Many conclude through withdrawal, settlement, strike-out, or procedural decisions at earlier stages.

J

Judicial Credibility Assessment

The process by which a Tribunal forms views about a party's reliability, consistency, and conduct over time. This assessment can be influenced by behaviour across the proceedings, not just the evidence at a final hearing.

L

Litigant in Person

An individual who represents themselves in Tribunal proceedings without a lawyer. Tribunals make allowances for lack of legal representation, but procedural rules still apply.

GLOSSARY of TERMS USED

A quick guide to the key terms used in this edition of Chinwag!

M

Motivation Central

A reflective concept by Keith Williams and Simon N'Dure used in SAS materials to explore the core reason a person is pursuing (or continuing) a workplace dispute.

Understanding one's *Motivation Central* involves asking:

What outcome am I truly seeking?

What does a "win" realistically look like for me?

What am I prepared to risk — emotionally, financially, or professionally?

Clarifying this early helps prevent decisions driven by frustration, momentum, or principle alone.

P

Procedural Fairness

The requirement that Tribunal proceedings — and employer processes leading up to them — are conducted in a fair, proportionate, and transparent way. Procedural failings can undermine otherwise strong cases.

S

Strike-Out

A decision by the Tribunal to dismiss all or part of a claim without a full hearing, usually because it has no reasonable prospect of success, is out of time, or constitutes an abuse of process.

S

Strike-Out

A decision by the Tribunal to dismiss all or part of a claim without a full hearing, usually because it has no reasonable prospect of success, is out of time, or constitutes an abuse of process.

T

Time Limits

Strict statutory deadlines for bringing Employment Tribunal claims, calculated from specific legal trigger points. Missing a time limit can prevent a claim from being accepted at all.