

Because employment matters

EMPLOYMENT LAW E-BULLETIN - September 2025

Welcome to our September e-bulletin. We start this month with the return of the CIPD & Simplyhealth Health and Wellbeing at Work report. This delves deeply into how organisations are managing health and wellbeing in the workplace and is a must read for HR professionals and senior management.

We cover three case reports this month. One will bring some peace of mind to employers on when travel time needs to be paid at the national minimum wage. The other two cases highlight risks - the first a £1.2m claim following an absence mismanagement process. The second case relates to the failure to recognise a whistleblowing disclosure.

There is still time to book onto our September Essential Employment Webinar. With the Employment Rights Bill expected to receive Royal Assent in the coming weeks, the webinar provides an update on the Bill, the expected implementation timetable for its provisions and a particular focus on collective consultation and trade union rights. See below for details on how to register for this and our other free webinars.

MEET OUR EMPLOYMENT PARTNERS



Innes Clark
Head of Employment Team

Contact



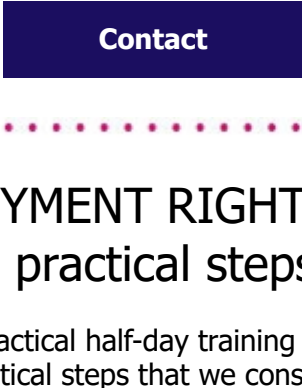
Lindsey Cartwright
Partner

Contact



Alan Delaney
Partner

Contact



Sarah Gilzean
Partner

Contact



Kenny Scott
Partner

Contact

EMPLOYMENT RIGHTS BILL: The 10 practical steps you can take now to prepare

This is a practical half-day training course aimed at HR and business leaders which explains the 10 practical steps that we consider employers can take now in order to prepare for the new legislation.

This training course will be tailored specifically to your organisation and we will take a deep dive into the detail of the key reforms proposed within the Employment Rights Bill that are most important to you, as well as clarifying the expected timings so that you can prioritise. We can deliver this training in-person or online for your organisation.

To enquire about this training course and for details of cost, please get in touch with your usual MFMac contact or email innes.clark@mfmac.com.

ESSENTIAL EMPLOYMENT LAW WEBINARS

Our Essential Employment Law Webinars return on 18 September. Our first webinar will provide an update on the Employment Rights Bill, its likely implementation timetable, and a special focus on collective consultation and trade union rights. You can register for this and our other upcoming webinars by clicking on the links below. Our webinars last for approximately 50 minutes and are free to attend. They are applicable to the law of Scotland, England and Wales

- [Employment Rights Bill - Update, timetable, collective consultation & trade union rights](#) - 18 September 2025
- [Employment law question time - performance management and sickness absence](#) - 2 October 2025
- [Employment Rights Bill - Update, fire and re-hire and getting ready for 2026 webinar](#) - 6 November 2025
- [What to expect in employment law in 2026 webinar](#) - 15 January 2026

Feedback from recent attendees at these seminars includes:

- "Very informative, good pace and spoken in plain language."
- "Really insightful, knowledgeable and helpful."
- "Great interaction. Brilliant advice."

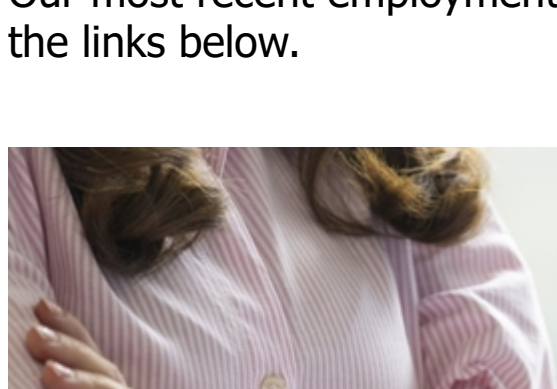
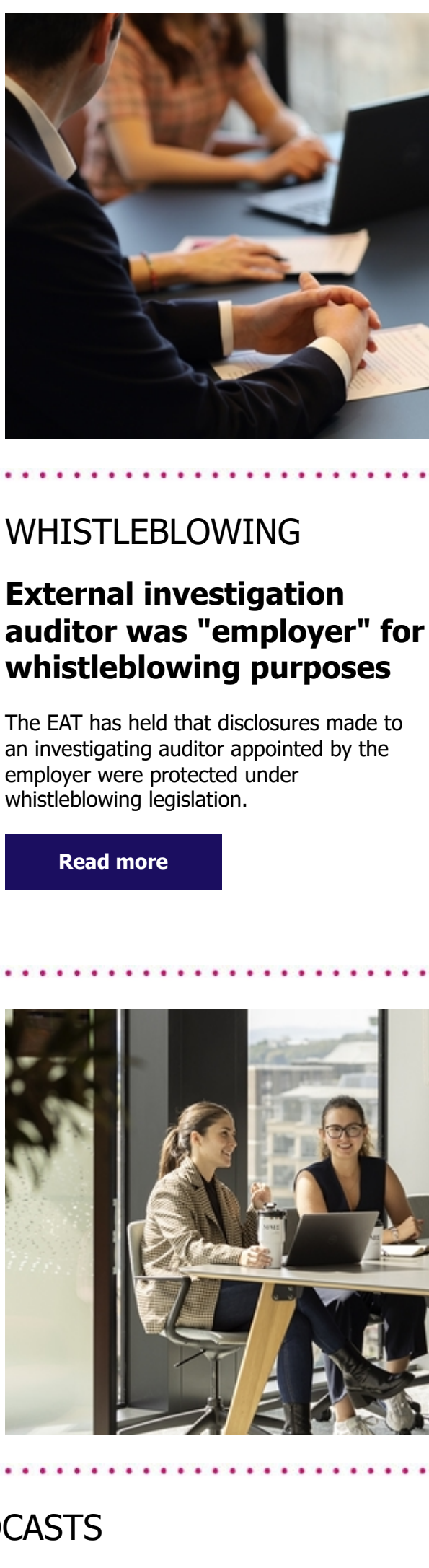
In the meantime, if you missed any of our recent Essential Employment Law webinars, links to recordings can be found [here](#).

WORKPLACE HEALTH AND WELLBEING

CIPD & Simplyhealth Health and Wellbeing Survey highlights continuing impact of mental ill health

Organisations are continuing to invest in support for their workforce, but mental health continues to cause significant absence.

Read more



NATIONAL MINIMUM WAGE

End of road for travel time pay claim

Most of us wouldn't expect our daily commute to count as working time. But what if your commute could be up to 8 hours a day and you travelled in your employer's minibus?

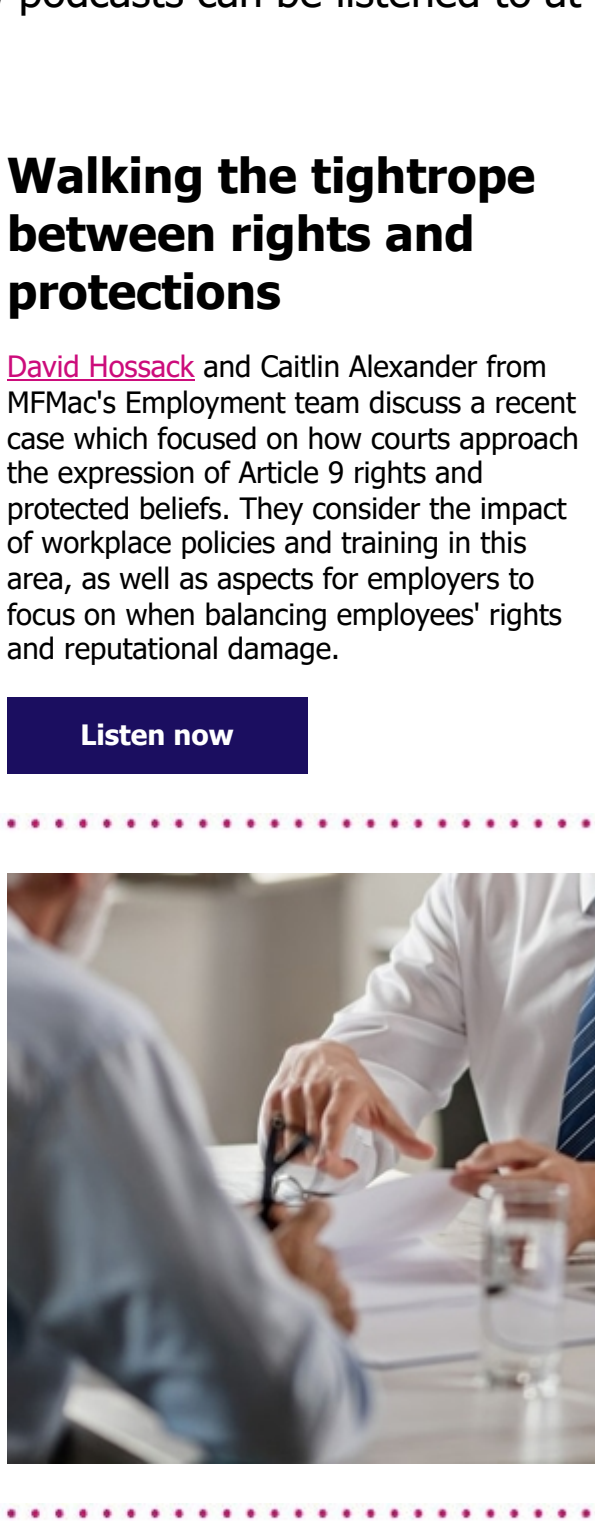
Read More

CONSTRUCTIVE DISMISSAL

Absence mismanagement becomes million pound mistake

Claimant was absent undergoing cancer treatment when she first became aware she had been replaced.

Read more



WHISTLEBLOWING

External investigation auditor was "employer" for whistleblowing purposes

The EAT has held that disclosures made to an investigating auditor appointed by the employer were protected under whistleblowing legislation.

Read more

ROUND UP

Employment Law Round-up

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

Read more



OUR EMPLOYMENT LAW PODCASTS

Our most recent employment law podcasts can be listened to at the links below.



Walking the tightrope between rights and protections

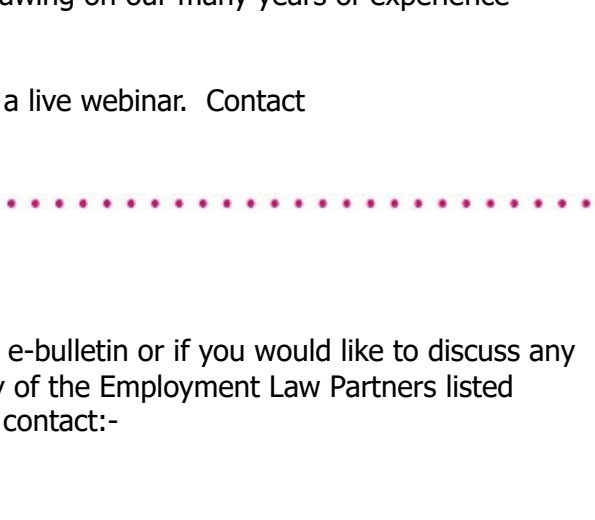
[David Hossack](#) and Caitlin Alexander from MFMac's Employment team discuss a recent case which focused on how courts approach the expression of Article 9 rights and protected beliefs. They consider the impact of workplace policies and training in this area, as well as aspects for employees to focus on when balancing employees' rights and reputational damage.

Listen now

Talkin' bout my generation - age and impact on attitude to whistleblowing

For our latest employment podcast, [David Hossack](#) is joined by Rebecca Linford of Protect to discuss their research on how views on raising concerns about work differ across the generations.

Listen now



You can find all or latest podcasts on our [website](#).

Listen now

EMPLOYMENT LAW GUIDELINE AND 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](#)

EMPLOYMENT LAW SUPPORT FOR YOUR ORGANISATION

How we can help

Clear employment law advice from one of the leading employment teams in Scotland.

- More Law Society accredited specialists than any other team in Scotland
- Clear, pragmatic, cost effective, legally privileged advice
- Fixed fee packages available (including Tribunal awards insurance, if required)

"The team consistently delivers high-level employment guidance and advice."
Chambers and Partners 2025 Edition

Please contact innes.clark@mfmac.com if you have any questions or would like to discuss your requirements in more detail.

EMPLOYMENT LAW TRAINING

We offer a practical series of employment law courses covering key employment law and related HR issues including:-

- Disciplinary and grievance issues training
- Managing employees (Performance) training
- Managing employees (Sickness Absence) training
- Discrimination and harassment training
- Employment Tribunal Procedure and Witness Familiarisation training
- Immigration & Employment training
- GDPR: the practical day to day skills you need to know in the workplace

Our courses are designed for business owners, HR professionals, line managers, in-house lawyers, finance team members, charity trustees and board appointees.

All of our courses have a very practical focus, drawing on our many years of experience advising both employers and employees.

Our courses can be delivered face to face or via a live webinar. Contact innes.clark@mfmac.com to find out more.

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 employment team contact:-

[Lindsey Cartwright](#) on 0141 274 1141

[Innes Clark](#) on 0131 247 1181

[Alan Delaney](#) on 0131 247 1263

[Sarah Gilzean](#) on 0131 247 1157

[Kenny Scott](#) on 0131 248 2255