



Welcome to edition one!

We aim to publish a newsletter every month and hope to make this section of the web site informative for candidates and clients with regular updates about matters relating to employment as well as community news, lifestyle and fun stuff.

It is a news letter for everyone. If you would like to contribute any stories, experiences or relevant information for the next news letter please email john@integrityplus.co.uk

We would love to hear from you.



Employment law

Parental Leave Extension

The European Council have agreed to an extension of Parental leave from three months to four. The decision which was recently finalized extends the period per child and regulations will have to be in place by 2012. This means that by that date the UK will have to extend the current 13 week period of leave to four months. The fact that the leave remains unpaid will mean that the new measures will have little impact, but employers should be aware of the changes on the Horizon. (Supplied by Roythornes Solicitors www.roythornes.co.uk

Are your Self Employed Workers Actually Your Employees?

It is common knowledge that Employees are at the top of the tree when it comes to the level of protection provided by Employment Law. The main claim is the right to claim unfair dismissal if the Contract of Employment ends for any reason once the employee has one year's service.

A "worker" is more broadly defined to encompass anyone who works under a Contract whereby he or she undertakes to perform work personally. A worker does not qualify for the right to claim Unfair Dismissal but he or she does qualify for other legal protection such as the right to be paid the National Minimum Wage and to receive paid holiday under the Working Time Regulations. Independent contractors who often work on a self-employed basis have the least protection which gives business the maximum amount of flexibility.

In the case of Autoclenz Limited v Belcher & Others 20 people were engaged as valets cleaning vehicles. They were recruited through advertisements asking for self-employed people and signed Contracts describing themselves as "sub-contractors". The contracts specifically

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stated that each valet could substitute a suitably qualified person to undertake his or her job. In other words, they were not personally obligated to do the job. The valets paid tax and National Insurance contributions on a self-employed basis and HM Revenue & Customs were already satisfied that this was a relationship of Self-employment.

Notwithstanding the written contract, a number of the valets presented claims to the Employment Tribunal seeking a declaration that they were Employees or at worst workers and owed holiday pay and arrears of pay under the National Minimum Wage Regulations.

Does the Contract do what it says on the tin?

The court of appeal said that it is necessary to consider whether the words of any written Contract represent the true intentions or the expectations of the parties. Furthermore, the words in the Contract can be compared with the intentions of the parties during the entire working relationship.

In this case Autoclenz expected each individual valet to turn up every day and do the work provided rather than any substitute. So irrespective of the written Contract the Court confirmed that the individuals were subject to the necessary mutuality of obligation to be workers and to the necessary degree of control to be employees.

Conclusions

There are three key points to draw from this case:-

1. The Employment Tribunal will put aside written terms in contracts if those terms are superseded by what actually happens in practice.
2. Cases such as these can open retrospective claims in respect of wages, holiday pay and other rights
3. Do your written terms with sub-contractors reflect the true relationship today?

This information supplied by Chattertons Solicitors www.chattertons.com



Charity news

£150 Donated to local Charity

We did not send any Christmas cards to clients or staff this year, deciding instead to send a donation to a local charity. We all had different ideas of which charities to support and in the end agreed on the Local Air Ambulance to which we sent £150.00.

In keeping with the “Green” theme, we donated on line to save more paper

We want to choose one charity to support all year rather than giving small amounts to several places. If any temporary staff or client has a particular charity in mind which is dear to their heart, please let us know.

For more information on the Lincolnshire air ambulance and the great work they do visit www.KeepusFlying.co.uk

Food corner

We thought we would give you a recipe every month which one of us have tried and liked. John Tried this one below and said this was very hearty. Try it and let us know what you think.

Chicken casserole with cheesy herb dumplings

Ingredients

- 1 chicken, (1.8kg)
- salt and freshly ground black pepper
- 2 tbsp Olive oil
- 350g unsliced rindless streaky Bacon, cut into 1–2cm
- 1 large Onion, roughly chopped
- 2 large Carrots, cut into 2cm slices on the diagonal
- 700ml chicken or vegetable stock
- a few sprigs Thyme

For the cheesy herb dumplings

- 350g plain flour, plus extra for dusting
- 1 tsp Bicarbonate of soda
- 1 tsp Salt
- 300ml buttermilk or soured Milk
- 2 tbsp finely chopped mixed herbs, such as parsley thyme, rosemary or chives
- 25g Cheddar cheese, finely grated

Method

1. Preheat the oven to 180C/gas 4. Remove the breasts from the chicken and cut them in half. Remove the leg portions and divide them into thighs and drumsticks. This will give eight chicken pieces in total. Season them well with salt and pepper.

2. Pour the olive oil into a large casserole dish on a high heat, add the bacon and fry quickly for 1–2 minutes or until crisp. Remove with a slotted spoon and drain on kitchen paper. Add the chicken in batches and sear on each side until golden, and remove. Add the onion and carrots and fry for 2–3 minutes or until golden.

3. Return the bacon and chicken to the dish, pour on the stock, add the thyme and season with salt and pepper. Bring slowly to the boil, cover with a tight-fitting lid and bake in the oven for 20 minutes.

4. For the dumplings Sift the flour, bicarbonate of soda and salt into a large bowl add the herbs, mix, then make a well in the centre. Pour in most of the buttermilk or soured milk (leaving about 50ml in the measuring jug). Using one hand with your fingers outstretched like a claw, bring the flour and liquid together, adding a little more buttermilk if necessary. Don't knead the mixture or it will become too heavy. The dough should be soft but not too wet and sticky.

5. Tip the dough onto a floured work surface and bring together. Using a rolling pin, roll the dough out to about 2cm thick. With a scone cutter or cup stamp out 10–12 dumplings, or divide the dough into 10–12 small balls.

6. Remove the casserole dish from the oven and turn the heat up to 230C/gas 8. Arrange the dumplings on top, leaving a slight gap between them to allow for spreading. Scatter with the cheese. Return to the oven, uncovered, for 10 minutes, reduce the heat to 200C/Gas 6 and cook for a further 20 minutes until the dumplings are crisp and golden and the chicken is cooked through.

Adapted from Rachel Allen Home Cooking (Collins) available at all good bookshops.



Healthy Eating:

If you have a favourite recipe you would like to share with everyone, please send to john@integrityplus.co.uk for inclusion in the next newsletter.

Book reviews

The Watch Series - Sergei Lukyanenko

I loved the entire series of books – 4 in total and looked forward to the next one to be published. Set in Moscow, the basis of the story is that there are “Others” who live among us all with special powers. These “Others” are divided into “Dark” & “Light” and it becomes a battle between them but the plot twists are imaginative and keep you on edge and this series has made me realise that fantasy can be just as addictive as sci fi.

When I read these books I don't think to myself, here we go another monster is going to cause mayhem. I get a personal connection with the monster. Yes the bad guys are bad, and even the good guys over years had done wrong.



Book reviewer?

Have you read a book recently that you want to tell the world about?

If so, then write a review and send in to john@integrityplus.co.uk

Music reviews

A couple of us have received iPods for Christmas so we have been busy downloading loads of CD's (legally of course). Here are 1 or 2 of our recommendations for others to try.

Muse - The Resistance

“Less earnest and self-regarding than Radiohead and less free trade-hippie than Coldplay, Muse know exactly how guilty a pleasure they can be. Stuffing their albums with sing-along pomp and circumstance, their days as sub-prog pariahs have long since passed” Quote from BBC website

Our thoughts

“If you like Queen or are into progressive rock, you will love this album. A first class Album from one of the top groups in the world”

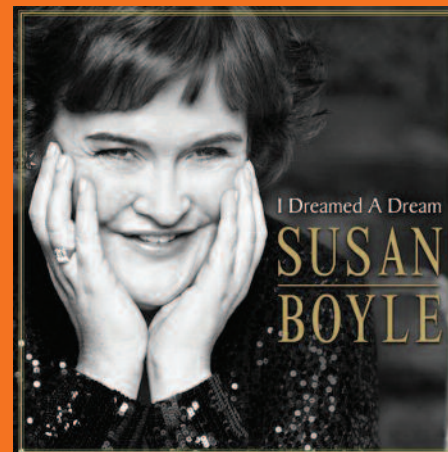


Susan Boyle - I dreamed a Dream

“The phenomenon of Susan Boyle, the singer from West Lothian, rolls on with the release of this album. Boyle has achieved a transformation from a performer on a talent show to a first-class recording artist not unworthy of her prestigious label” BBC

Our comments

“There is no doubting that she is a fantastic singer, even if you don't enjoy her style of music or choice of songs”



Keep an eye on your mailbox for issue 2