

Employment Tribunals Scotland

The 2015 Parliament will see the continuing development of the relationship between Scotland and the United Kingdom as a whole. The Scotland Bill currently going through the House of Commons will devolve to the Scottish Parliament substantial powers over taxation and welfare, increasing both its powers and its responsibilities. Underpinning this transfer of responsibilities will be a revised fiscal and funding framework for Scotland—a crucial part of the devolution process that will give the Scottish Government and Parliament greater financial autonomy and substantially increase their accountability to the people of Scotland. Like other departmental select committees, the Scottish Affairs Committee is charged with scrutinising the performance of a government department, in its case, the Scotland Office, the “guardian of the devolution settlement” and its relations with the Scottish Parliament. Through this Inquiry the Scottish Affairs Committee wishes to find out directly from people and organisations in Scotland what key issues we should be looking at in the first part of this Parliament.

The Senior Salaries Review Body’s remit now covers certain senior managers in the National Health Service, as well as leaders in the law, the armed forces and the Civil Service. The Body detects signs that the pay of these groups is falling increasingly behind that of comparable groups in the wider public and private sectors, and that is beginning to cause problems of recruitment, retention and morale. The increases proposed are moderate, but the report stresses that it would be against the public interest in the longer term if the quality or performance of the state’s senior managers and judges were to deteriorate. Celebrating over 30 years as the market-leading series, Blackstone’s Statutes have an unrivalled tradition of trust and quality. With a rock-solid reputation for accuracy, reliability, and authority, they remain first-choice for students and lecturers, providing a careful selection of all the up-to-date legislation needed for exams and course use.

An indispensable employment law reference source.Fully-updated statutory, non-statutory and European materials relating to employment law in England and Wales and Scotland. Cross-references to Harvey on Industrial Relations and Employment Law are included, providing a convenient reference tool for use in tribunals.New to this edition:• The amendments made to the Trade Union and Labour Relations (Consolidation) Act 1992 by the Trade Union Act 2016, as well as the 2016 Act itself• The provisions of the Scotland Act 2016 relating to the devolution of legislative powers relating to Employment Tribunals and the EAT in Scotland• New provisions in the Employment Rights Act 1996 in relation to Sunday working• Exclusivity terms in Zero Hours Contracts (Redress) Regulations 2015• Amendments to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 restricting the granting of postponements• Employment Rights (Increase of Limits) Order 2016• Posted Workers (Enforcement of Employment Rights) Regulations 2016• Relevant provisions of the Human Trafficking and Exploitation (Scotland) Act 2015, the Enterprise Act 2016, and the Immigration Act 2016• The 2016 EU General Data Protection Regulation• EAT Practice Statement: Notices of Appeal and Skeleton Arguments (2015)

Review Body on Senior Salaries twenty-ninth report on senior salaries 2007

2006/2007

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The Employment Tribunals Handbook

Employment Law

Butterworths Employment Law Handbook

Covers all aspects of litigation from its basics to: - pleading - preparation - negotiation - case management - conducting the hearing; and - dealing with the aftermath. It covers the conduct of civil litigation of all kinds, rather than any area of law particularly and contains examples of what can be done, how to do so, and includes how to ask questions as well as tips on what works, or does not work. The book draws on over 35 years of the authors’ experience in courts and tribunals, including the making of mistakes when doing so and although based on UK principles, is relevant throughout the English-speaking world where the principles of conducting litigation are essentially the same. The book has mainly non-legal quotations as aide memoires, and is written in a way that is intended to be easy to understand, and practical, rather than academic making it ideal for anyone presenting a case before a tribunal or court.

An indispensable resource for employment practitioners, Blackstone’s Employment Law Practice provides all you need to advise clients confidently and to appear in tribunal. It draws together key legislation, procedural rules, Codes of Practice, Practice Directions, and in-depth analysis of law and procedure in one portable volume.

Revised new edition of a popular and long-established textbook, updated to include the most relevant developments in employment law today. This edition sees barrister Tom Brown join Deborah Lockton on the writing team, providing insightful commercial experience into this dynamic field. The text steers confidently though the complexities of this diverse subject, highlighting its practical and theoretical underpinnings. The book covers the most recent developments in one of the fastest moving areas of the law, explaining the rights of employees and responsibilities of employers. Reinforced with summaries, exercises and extensive further reading, it helps students get to grips with the subject. An ideal textbook for students on an LLB or GDL/CPE course taking a module on Employment Law. New to this Edition: - A new section on employees and workers in the ggc economy and modern day slavery - Brand new section on whistleblowing - New ‘hot topics’ sections that look in greater depth at some of the most vexed legal questions of our time, provoking further discussion and research

Annual Report

A Comparative Analysis of Mediation

HC 331 - Work of the Scottish Affairs Committee

Employment Tribunal Practice in Scotland

Examination and critique of the Theory and Practice in Germany, Switzerland and Scotland

Practice, Procedure and Strategies for Success

Cases & Materials on Constitutional and Administrative Law provides you with a comprehensive selection of legal resources to accompany your studies. Extracts from leading cases, academic works, and political documents are drawn together with incisive author commentary and thought-provoking questions to highlight the historical debates and ongoing development of the subject. The authors take a critical look at the doctrines of constitutional law and the principles of administrative law, showing how the constitution operates in relation to Parliament, the Executive, and the citizen. The eleventh edition has been fully revised and updated with new extracts and commentary from recent case law and legislation, and also features a new chapter on devolution.

This is the 33rd report on senior salaries from the Review Body on Senior Salaries. Following the Coalition Government’s announcement to tackle the budget deficit, a two-year pay freeze for all public sector workers paid more than £ 21,000 was put in place. This Review therefore makes no general recommendations for pay increases for the remit groups normally covered by this review, which include senior civil service, military officers and certain senior managers in the NHS. The Review Body though was already engaged in a major review of the judicial pay structure, although implementation of these recommendations for the judiciary may be affected by the overall pay freeze. The Review has set out 10 recommendations, including: that for senior officers in the armed forces the Ministry of Defence should review the performance management and pay system to define the objectives of performance-related pay and whether the existing system can be improved. The other recommendations look at the judiciary. The publication is divided into five chapters, with nine appendices

The migration of farm workers to rural Scotland is an important issue that relates to the existing theories and research in contemporary equality and cultural capital studies, particularly in regard to the exploration of how and in what ways cultural capital theory can be addressed to study migrants equality claims. the examination of how complex equality models can be used for inquiry into the reinforcement of inequalities in cultural capital and the accumulative effects of such inequality. In particular, the experiences of East European migrant farm workers challenge theoretical perspectives that apply a) an approach of equality claim from cultural capital, which emphasize b) equal right to recognition, and therefore, c) focus on entitlement to equal protection against any discrimination. This book, therefore, offers us a way to explore these experiences with a call for attention to be paid to a large number of East European migrant farm workers who have migrated to rural Scotland to work in low paid jobs marked with low skills. Unlike majority members of a population, migrant farm workers often give up their cultural capital and take up low skilled jobs in order to gain opportunities for success in other spheres in their lives. Critiquing such a trade-off approach, if the sphere of migrants cultural capital is invaded and the cultural capital of local workers (native) is acknowledged, migrants are in a vulnerable position. I also argue although migrants achievements are devalued, and their substantive equality remains unprotected, their claim from cultural capital is relatively strong and valid to manage. The more vulnerable a migrants cultural capital is in terms of recognition and protection, the stronger his or her claim from cultural capital will be. Under the theoretical framework, I argue that if equal recognitions of cultural capital are not actively ensured, this is highly likely to produce increased claims to equality.

To harmonize the rules on mediation within the European Union, Directive 2008/52/EC was created imposing mandatory standards on certain aspects of mediation. The Directive is binding only in respect of cross-border dispute mediations, but its provisions may also be applied to internal dispute mediation processes. This led to the monistic approach, where a legislation system simultaneously seeks to regulate both internal dispute and cross-border dispute mediations and thus treats them equally, and the dualistic approach, where cross-border dispute mediations are regulated separately, and thus internal dispute and cross-border dispute mediations may be treated differently. The implementation of Directive 2008/52/EC by the monistic approach in Germany, and by the dualistic approach in Scotland, and the autonomous handling of mediation legislation in Switzerland (which is not bound by Directive 2008/52/EC) show different patterns of development with regard to mediation in Europe. The comparison between those developments finally answers the question whether Directive 2008/52/EC in its current form was appropriate. The present monograph, which was honoured with a distinction by the University of Glasgow, stems from a research project on mediation in collaboration with Professor Janeen Carruthers.

Equality: A New Framework

Report No. 68

Cases and Materials on Constitutional and Administrative Law

Thirty-first Report on Senior Salaries 2009

A Practical Guide to Application

Employment Law in Scotland

Retaining the position it has held since first publication, the fifth edition of this leading practitioner text on information law has been thoroughly re-worked to provide comprehensive coverage of the Data Protection Act 2018 and the GDPR. Information Rights has been cited by the Supreme Court, Court of Appeal and others, and is used by practitioners, judges and all those who practise in the field. The new edition maintains its style of succinct statements of principle, supported by case law, legislative provisions and statutory guidance. Reflecting its enlarged scope and to maintain easy referencing, the work has been arranged into two volumes. The first volume is a 1,250-page commentary, divided into six parts. The first part is an overview and introduction to overarching principles. The second part provides an authoritative treatment of the data protection regime. This covers all four forms of processing (general, applied, law enforcement and security services) under the GDPR and DPA 2018. Each obligation and each right is comprehensively treated, with reference to all known case-law, both domestic and EU, including those dealing with analogous provisions in the previous data protection regime. The third part provides a detailed treatment of the environmental information regime. This recognises the treaty provenance of the regime and its distinct requirements. The fourth part continues to provide the most thorough analysis available of the Freedom of Information Act and its Scottish counterpart. As with earlier editions, every tribunal and court decision has been reviewed and, where required, referenced. The fifth part considers other sources of information rights, including common law rights, local government rights and subject-specific statutory information access regimes (eg health records, court records, audit information etc). The final part deals with practice and procedure, examining appeal and regulatory processes, criminal sanctions and so forth. The second volume comprises extensive annotated statutory material, including the DPA 2018, the GDPR, FOIA, subordinate legislation, international conventions and government guidance. The law is stated as at 1st February 2020.

This report sets out to develop an accessible and cost-effective legislative framework for ensuring equality of opportunity.

The Review Body on Senior Salaries makes recommendations for the pay arrangements of senior civil servants (SCS) (including the Prime Minister, Ministerial posts and MPs), senior military officers and the judiciary. This is their 29th report which contains recommendations applicable from 1 April 2007.

This comprehensive and up-to-date selection of the most important legislation on public law and human rights is designed specifically for students. It provides unannotated primary and secondary legislation, detailed tables of content to aid quick and efficient research, as well as web links.

Equality, Cultural Capital and the Process of Social and Cultural Transitions

A Practitioner’s Guide to Data Protection, Freedom of Information and other Information Rights

Moving Forward

Review Body on Senior Salaries thirty-fourth report on senior salaries 2012

Practice Notes on Termination of Employment Law

Report of the Independent Review of the Enforcement of UK Anti-Discrimination Legislation

Employment Law has been developed primarily for students taking an elective module in employment law on the LPC and is suitable for courses with either a corporate or private client focus. The 2014 edition continues to provide a practical and comprehensive guide to the subject and has been fully updated to include recent UK and European case law and developments in employment law practice. Examples and sample documents are included throughout the book to help students understand the practical application of the law, preparing them for the situations they may encounter once qualified. Detailed information is presented clearly and concisely, with the use of flowcharts and diagrams to provide a visual overview of complex processes and areas of common difficulty. End of chapter summaries and self-test questions are also used throughout the book, to help students consolidate their learning and identify areas for further study. This book is also accompanied by a free Online Resource Centre (www.oxfordtextbooks.co.uk/orc/employment2014/) which includes updates to the law post-publication, self-test questions with instant feedback, outline answers to the questions in the book, and electronic versions of flowcharts and diagrams to assist with notes and revision.

The Review Body on Senior Salaries makes recommendations for the pay arrangements of senior civil servants (SCS) (including the Prime Minister, Ministerial posts and MPs), senior military officers and the judiciary. This is their 27th report which contains recommendations applicable from 1 April 2005. These include: i) the introduction of new pay bands for the SCS to incorporate revalorisation at the rate of 2.5 per cent, with individual pay increases up to nine per cent; ii) the pay range for Permanent Secretaries of £130,350 to £264,250; iii) the introduction of a new performance-related pay scale for two star officers and above, to incorporate revalorisation at the rate of 2.5 per cent; and iv) an increase of 3.0 per cent for judicial salaries.

This is the 31st report on senior salaries (Cm. 7556, ISBN 9780101755627) and is presented by the Review Body on Senior Salaries established in 1993. The Review Body provides independent advice to the Prime Minister, the Lord Chancellor and the Secretaries of State for Defence and Health on the remuneration of holders of judicial office; senior civil servants; senior officers of the armed forces; executive directors and other equivalent public appointments. The publication is divided into 5 chapters, with 9 appendices. The chapters cover the following areas: Chapter 1: Introduction and economic evidence; Chapter 2: The senior civil service; Chapter 3: Senior officers in the armed forces; Chapter 4: The judiciary; Chapter 5: Very senior managers in the National Health Service. There are 19 recommendations set out over these 5 chapters, including: that senior civil service base pay be increased by 2.1%; that permanent secretaries’ base pay be increased by 2.1%; that the MoD produce further evidence on the job evaluation exercise of the senior military, including 4-star officers; that administrations in England and Wales, Scotland and Northern Ireland make collection of information in job weight a priority and continue work with the judiciary to collect meaningful data to show whether job weight at different levels is changing over time; that from 1 April 2009 the pay for Very Senior Managers in the NHS should increase by 2.4%. The publication sets out in various tables the recommended salaries for the above holders.

Drawing together comprehensive coverage of practice and procedure in the employment tribunal, Employment Appeal Tribunal, and Central Arbitration Committee, Blackstone’s Employment Law Practice 2012 is an essential purchase for any serious employment practitioner. Ideal for preparing for and during a case in tribunal or court, it includes trusted advice on specialist topics, such as the application of TUPE and the calculation of costs. This new edition draws together comprehensive coverage of practice and procedure in the courts and tribunals, making it an essential purchase for every employment practitioner. An eminent team of authors bring together consummate experience of every aspect of employment law and practice to offer up-to-date advice and commentary on the latest developments in substantive law and procedure, including the continuing changes brought about by the Equality Act 2010. Blackstone’s Employment Law Practice 2012 offers: - Unparalleled coverage and practical explanation of employment law and procedure in the employment tribunal and civil courts - A new chapter on insolvency and an expanded discussion of the tax treatment of awards - Updated coverage of relevant case law and legislation across all areas of employment law - A range of flowcharts and procedural checklists to provide immediate clarification of complex procedural issues - Clear page design to ensure easy navigation and quick access to essential information - Appendices offering quick and easy access to current and historical financial data

Report no. 79

Thirtieth Report on Senior Salaries 2008

Freedom of Information in Scotland in Practice

Migration of Farm Workers to Rural Scotland

The Practical Guide for Human Resource Managers, Trade Union Officials, Employers, Employees and Lawyers

Scottish Legal System

This is the thirty-fourth report on senior salaries with the remit of providing independent advice to the Prime Minister, the Lord Chancellor, the Secretary of State for Defence and the Secretary of State for Health on the remuneration of holders of judicial office; senior civil servants; senior officers of the armed forces; very senior managers in the NHS; and other such public appointments. However it covers the second year of the Government’s pay freeze for public sector workers paid over £ 21,000 a year. Therefore, no recommendations for the relevant remit groups could be made. The Review Body report concentrates accordingly on any evidence about recruitment, retention or motivation, and sets out its views on changes it would like to see in the pay and performance management systems for the remit groups, systems which are nearly all currently under review.

The law relating to employment and its procedures is becoming ever more complex. Completely revised and fully updated, this authoritative and practical guide continues to demystify employment law, explaining the technicalities in a clear and simple way. -- Provided by publisher.

Featuring case study questions and exercises, this practical and accessible guide is particularly suitable for students taking employment law as part of their legal practice course.

FIDIC contracts are the most widely used contracts for international construction around the world and are used in many different jurisdictions, both common law and civil law. For any construction project, the General Conditions of Contract published by FIDIC need to be supplemented by Particular Conditions that specify the specific requirements of that project. FIDIC Contracts in Europe: A Practical Guide to Application provides readers with detailed guidance and resources for the preparation of the Particular Conditions that will comply with the requirements of the applicable laws that apply to the site where the work is carried out, and for the governing law of the contract, for a number of the jurisdictions in which FIDIC contracts are used. This book closely follows the format of The International Application of FIDIC Contracts, with the addition of an outline of the construction industry and information on the impact of COVID-19 on both the execution and operation of construction contracts in each jurisdiction. This book is essential reading for construction professionals, lawyers and students of construction law.

Health and Safety Enforcement

Whitaker’s Shorts 2016: Law and Order

Blackstone’s Statutes on Public Law and Human Rights 2021-2022

Hearings at Employment Tribunals, Scotland

Employment Tribunals

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This book provides the busy practitioner with a fundamental, step-by-step guide to key aspects of the law regarding unfair dismissal. Concentrating on the client interview to establish the validity of the claim, it guides the practitioner smoothly through the necessary paperwork and highlights the time limits within which a claim can be brought before an industrial tribunal, outlining the conduct important tactical questions which arise at each step of the case and includes detailed lists, ready-to-use forms, precedents and a table of time limits. It also offers potential solutions through conciliation and outlines the appeals process.

Now in its 14th edition Whitaker’s Almanack is the definitive reference guide containing a comprehensive overview of every aspect of UK infrastructure and an excellent introduction to world politics. Available only as ebooks, Whitaker’s Shorts are selected themed sections from Whitaker’s 2016, portable and perfect for those with specific interests within the print edition. Whitaker’s Shorts 2016 covers courts and offices in the UK, including the judiciary of Scotland and Northern Ireland, plus a guide to UK law covering births, deaths and marriages, divorce, wills, human rights and jury service. There is also information on the tribunals system, ombudsman services, the UK police and prison services and a chapter on the UK armed forces including listings of the key senior personnel in the MoD.

As with the first edition, it is a major aim of this handbook to explain the law of employment as it applies in Scotland and to emphasise the differences both in the law itself and in its interpretation as between Scotland and England.Although there have been many changes to the substantive law since July 1991 the authors have sought to retain the structure of the first edition by integrating the changes into the text. The handbook also includes information on the Trade Union and Labour Relations (Consolidation) Act 1992, the Employment Rights Act 1996 and the Industrial Tribunals Act 1996 consolidated much of the earlier law, there have also been significant substantive changes. The Trade Union Reform and Employment Rights Act 1993 introduced major changes to the law of unfair dismissal, the workings of the industrial tribunals, the internal industrial action. More recently still, delegated legislation has fundamentally altered the concept of continuity of employment and the obligations of an employer to consult representatives prior to redundancy (which itself has been redefined) and the transfer of an undertaking.Coverage also includes the Disability Discrimination Act 1995 and the tribunals’ development of implied contractual terms.

Whether you’re studying law in Scotland or looking to convert to Scots law, this invaluable guide will quickly equip you with all the basics of the Scottish legal system. Fully updated for the third edition, it is the ideal textbook for busy law students and revising for those all-important exams. Summary sections of Essentials Facts and Essential Cases will help you to identify, understand and recall the key points of Scots law.

Blackstone’s Statutes on Public Law and Human Rights 2014-2015

The Report of the Employment Tribunal System Taskforce

Employment Tribunal Remedies

Employment Law 2013

Report no. 63

Industrial Tribunals rules in Scotland have been completely revised and re-enacted and this comprehensive text has been updated to encompass these changes.

Derek Auchie and Ailsa Carmichael conduct a full review of the Mental Health Tribunal for Scotland (Practice and Procedure) (No 2) Rules 2005, together with a detailed examination of the relevant provisions of the Mental Health (Care and Treatment) (Scotland) Act 2003. The authors, both Legal Members of the Tribunal, draw upon their own experiences and the experiences of other members in convening Tribunal hearings, making this text an invaluable practical resource for anyone involved at any level of the Tribunal process.

Hearings at Employment Tribunals, ScotlandHow to Apply to an Employment Tribunal, England and WalesEmployment Tribunals, ScotlandEmployment Tribunal Practice in Scotland

Written by Kevin Dunion, the first Scottish Information Commissioner, this uniquely informed text provides detailed commentary on the provisions of the Freedom of Information (Scotland) Regulations 2004. Fully referenced to the Commissioner’s own decisions and court judgements, it also considers in detail key issues of interpretation since the law came into effect. It is an essential handbook for anyone working with, or using, the Freedom of Information Act in Scotland.

Scottish Mental Health Tribunal

Twenty-seventh Report on Senior Salaries

Blackstone’s Employment Law Practice 2011

Employment Tribunals, Scotland

Waud’s Employment Law

How to Apply to an Employment Tribunal, England and Wales

Health and Safety Enforcement: Law and Practice has become the standard text for practitioners in this growing area of the law, providing a portable and authoritative guide to the key issues in health and safety enforcement in a practical and comprehensive manner. This third edition builds on the strengths of the first two. It deals comprehensively with health and safety inspectors’ enforcement powers; the service and appeal of improvement and prohibition notices; the law relating to health and safety offences; work-related death investigation; the Coroner’s procedure; and criminal procedure and sentencing in respect of health and safety offences. The second part of the book reproduces the relevant extracts from the key statutes, the Enforcement Policy Statement, and the most important Health and Safety Regulations. The new edition has been comprehensively updated, with coverage of the Chargot judgment, the Health and Safety Offences Act 2008, the Coroners and Justice Bill 2009, new Sentencing Guidelines, and changes to the constitution of the Health and Safety Executive and the Health and Safety Commission. The text has been scrupulously updated in respect of recent case law, with informed discussion of the implications of decisions made.

Review Body on Senior Salaries thirty-third report on senior salaries 2011

How to Win Your Case

Practice and Procedure

Law and Practice

Information Rights

Blackstone’s Employment Law Practice 2012