

legal update



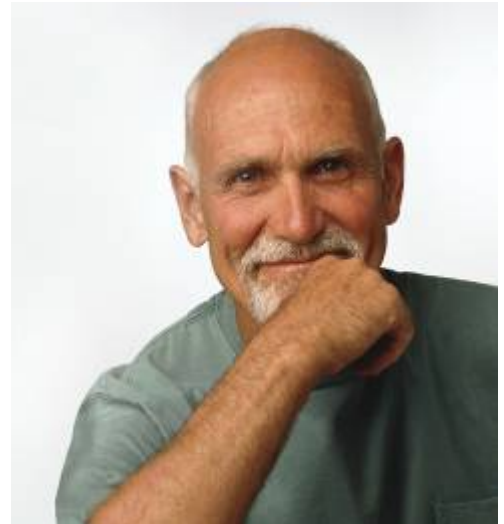
For You • For Your Business • On Time • On Budget

Business Client Newsletter
Summer 2008

Problems with

Age, Disability, Sex, Race, Contracts, Disciplinary, Grievance Procedures...?

The Answer is our Free download



In this issue

Don't be too Hasty

Grievance and dismissal procedures can be an employers minefield.



Top Tips

An alternative to typing



Money Matters

Are you missing out on late payment interest?



Firm News—The updates.



This **FREE** guide from Bonallack & Bishop solicitors will give you the information you need to help you meet the current employment legislation, keep your staff happy and try to ensure you avoid an Employment Tribunal

- The dangers of discrimination on the grounds of age, sex, race, disability and more...
- Getting it right 'from the start' - how your

recruitment procedures need to be correct.

- Employment contracts and the importance of having an up-to-date staff handbook.
- Why consultation with your employees is important.
- What to look out for with fixed-term contracts and part-time workers.
- Whistle blowing...nothing to do with sport!
- Email and internet policies.
- Deductions from wages.
- What if your employees are stressed?
- Why bother with staff parties?

Download your **FREE** copy today—visit www.bishopslaw.com

Late Staff? The Real Costs!

Research shows that 70% of employers don't record staff lateness. But if just one employee is 10 minutes late twice a week that represents two days lost over a typical 47 week year. It also gives out the wrong message and creates a culture of sloppy time-keeping. The answer is to ensure your disciplinary procedures cover lateness and

use them if necessary.

For further information contact:

Andrew Cutler

Email: andrew.cutler@bishopslaw.com

Telephone: 01722 422300

New! Andover Breakfast Club

Having grown tired of the forced formality and minimum attendance requirements at many of the local breakfast clubs, we have decided to start our own meetings for large and small businesses to gather on a monthly basis to exchange ideas and build good local relationships. The meetings take place on the second Tuesday of every month and start at 8am, the emphasis is very much on enjoyment and informality to keep a bright modern approach to the meetings. It costs £10 for the breakfast, there are no other costs, just book now and meet like minded people. To book your breakfast contact:

Email: caroline.skutt@bishopsplaw.com

Disciplinary Procedures - are you at risk?

Case law continues to show the importance of following the statutory disciplinary and dismissal procedures when dismissing staff. A recent case saw an employee being photographed in a pub when he was supposedly off sick. His employers issued him with a final warning and then dismissed him. An Employment Tribunal found the employee had been unfairly dismissed as his employers had failed to follow the proper procedure. He was awarded over £2400 in compensation on the basis that the employers went straight to a final warning and dismissal without letting him take his case to appeal. Our advice is simple - always follow the three stage procedure:

1. Write to the employee setting out the case against them.
2. Hold a meeting (and remind the employee of his or her right to bring a friend with them to the meeting).
3. Offer a right of appeal.

For further information on grievance and dismissal procedures, contact andrew.cutler@bishopsplaw.com



'Salisbury Breakfast Club' We are Expecting 75 People



Problems With Staff Absences?

Follow our Simple Advice.

"Careful monitoring and management of absences can make a lot of difference. A business that cares about managing their staff costs can consistently achieve very low levels of absence".

- Follow up every staff absence with a return to work interview .
- Question what employees write on their self-certification forms.
- Consider entitlement to company sick pay for absences of less than three days.
- Have a well-communicated company policy on managing absence to ensure consistency amongst line managers.
- Look at management attitudes to absence and ensure managers understand what levels of absence are acceptable.
- Circulate quarterly SSP and other sick pay payment totals to ensure managers understand the costs involved.

For further information contact:

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Are you missing out on late payment interest?



A recent survey shows that only 4% of British businesses always charge interest for late payment of bills. With the current economic downturn, it is more important than ever for firms to tighten up their cash flow and recover monies that are owing to them swiftly. Charging interest on late payers is completely legal and something we would strongly urge you to consider.

For further information and for details of both how our debt recovery department and our **FREE** 7 day Solicitor's letter can help you, contact our debt recovery team on 01722 422300 or email debtco@bishopsplaw.com

WHAT'S ON?

We run a series of regular seminars and networking events.

Salisbury Breakfast Club

2nd September, 7th October, 4th November
Milford Hall Hotel, 8am
£10 breakfast, no joining fee

Andover Breakfast Club

9th September, 14th October,
11th November, 9th December
Hampshire Golf Club, Andover, 8am
£10 breakfast, no joining fee.

South Wiltshire Business Expo

24th September
City Hall, Salisbury

13 Ways to Protect your Business Seminar

October/November 2008
with Barry Goodridge, ITSE, Alan Jenner,
Bonallack & Bishop Solicitors

V-Den a fast paced 'Dragons Den'

6th November
with Nicholas Stephens, Bowshot

Visit our website for more information on these events or contact us:

E: robin.montgomery@bishopsplaw.com

T: 01722 422300

Trying to Recover your Debts?

- Do your customers fail to settle your accounts on time?
- Are you fed up with excuses?
- Is chasing up debts wasting your valuable time?
- Do you realise how much of YOUR cash is tied up in unpaid debts?

Your business can quickly get into financial trouble if customers or clients fail to settle their accounts on time. As the areas fastest growing solicitors, we offer a prompt and cost effective debt collection service to collect outstanding debts, while you get on with the important job of running your business. We give you the chance to recover your debts without any financial risk by writing a FREE solicitors 7 day letter. We believe this is a unique service in the region.

Let us send a
**FREE Solicitors 7-
day letter
to recover
your debt**

By combining the personal touch of an experienced team with modern technology, we are flexible enough to tailor our service to the needs of small businesses with a single debt, or to large companies with multiple debt. We succeed in recovering debts for our clients in 91% of cases and represent clients throughout Wiltshire, Hampshire, Dorset, Somerset and further afield.

How Does it Work?

Our debt collecting service has been specially designed to recover your money promptly and efficiently. All you have to do is give us the details of your debts and we will take care of the rest. We will:

- Write a preliminary Solicitors letter **FREE OF CHARGE**, demanding payment in full in 7 days. Experience has shown us that 71% of debtors will pay up at this stage.
- Subject to instructions, commence legal proceedings to recover your money if the debtor has not paid within this time.
- If the claim remains undisputed, obtain Judgement and take all necessary steps to enforce it.
- If the claim becomes disputed, we will advise on the merits of the case and pass the matter to our experienced litigation team.

- Keep you advised on a regular basis of exactly what we have done for you. This will include how much we have recovered and details of how much we have had to pay out on your behalf.

Visit our website www.bishopslaw.com and complete the online form today or call our Debt Recovery team on 01722 422300.

"I was staggered that any solicitor would offer anything for free, I gave it a go and it really worked! It costs me nothing, I just sent the details through and a few days later I got a call to say there's a cheque for me. I work very long hours and just haven't got the time to chase unpaid bills. By using Bonallack & Bishops debt recovery service I can forget about all the worry and hassle, just pass over the responsibility and get on with what's important, my job."

Mike Malloy, Proprietor, Plumbing and Drain Cleaning Services, Salisbury

"I found the service professional, efficient, effective with helpful and courteous staff, I would happily recommend Bonallack & Bishops Debt Recovery Service to anyone."

Kevin Flynn, Bursar, The Godolphin School, Salisbury.



significantly increased my efficiency, now I can get that letter off by e-mail immediately without having to wait for it to be typed and then have to check it again.

I believe this is a technology whose time has really come; the new generation of computers have much faster processing speeds which really have allowed voice-activated software to come of age. I'm amazed that so few other people use it. It's so simple—it only takes 10 minutes to train and you are ready to go. It's also so cheap we picked up our versions for around £95 on Amazon. Gradually I'm introducing the rest of the firm to it.

"You needn't worry about two-finger typing ever again," claims our Senior Partner, Tim Bishop.

Tim uses 'Dragon Naturally Speaking No.9' voice-activated software to do the majority of his typing. "For the last nine months I have been using Dragon and now do at least 70% of my typing. My practice director, who can type at 70 words per minute, also raves about Dragon, finding it quicker than her own typing. I have produced memos, e-mails, statements and even court orders. It has

Top Tips - Our Brilliant Alternative to Typing

They say that necessity is the mother of invention. I had a spell when I was largely without a secretary and Dragon really saved the day. Since then I haven't looked back. I now have a secretary but she only works part-time and in addition finds the time to do much more interesting work for me rather than simply copy typing all day. I'm such a fervent salesman for this bit of software; I only wish I had shares in the company!"

For further information contact Tim Bishop on 01722 422300



"For the last nine months I have been using Dragon and now do at least 70% of my typing."

The Practice Director, who can type at 70 words per minute also raves about Dragon"

Tim Bishop, Senior Partner

“Strong United Commercial Team Delivers Results”



Nick Martin
Solicitor

Firm News Update

Recently joining us is Alan Jenner. Alan was born in Somerset and attended University in Birmingham.

Alan qualified as a Solicitor in 1986 and then worked for large commercial firms, Eversheds in Birmingham, Burges Salmon in Bristol. 2002 saw Alan working at Bennetts, a commercial practice near Bristol Airport.

Alan Jenner is experienced in heavyweight commercial litigation and has done a considerable amount of employment work for Claimant and Respondent including tribunal representation and commercial work. Alan is a specialist in professional negligence claims.

To contact Alan Jenner:
E: alan.jenner@bishopslaw.com
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Employment Q & A with Andrew Cutler

Do I have to advertise jobs internally?
No

Can I contact a sick employee?
Yes – but use your common sense. Employers have a right to know how an employee is getting on and to have an idea of how long they might be away from work.

Can I give a “bad” reference?
Yes – provided it is truthful, fair and not malicious. But make sure you have facts to back any criticism up such as their attendance record and make sure that the employee knew about the things to which you were referring.

Do I have to agree a flexible working request?
No – but you must take it seriously and only turn it down for good reasons. You must also follow the correct procedure.

For further information please contact Andrew Cutler on 01722 422300 or E: andrew.cutler@bishopslaw.com.



Alan Jenner
Commercial Solicitor



Andrew Cutler
Head of Litigation



Georgina Walters
Commercial Property

If you, a friend or colleague would like to receive our Commercial or Private Client Newsletter by email then please contact robin.montgomery@bishopslaw.com

Free drop in Legal Surgeries
Salisbury office (Tuesday 5.15-7pm) and
Andover office (Wednesday 5.15-7pm)

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SOLICITORS

Salisbury • Amesbury • Andover

For more information about our full range of services visit our website at www.bishopslaw.com or contact our offices:

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