

Know the law

Unfair dismissal: You must have a good reason to dismiss someone and show that you have been fair in the way you have acted. This means:

- ❖ Informing the employee of the problem you have with their conduct or performance
- ❖ Holding a meeting to discuss the problem allowing the employee to be accompanied
- ❖ Deciding on appropriate action providing employees with an opportunity to appeal.

Some reasons for dismissal, such as pregnancy and un-authorised deduction of wages, are automatically unfair and employees can claim unfair dismissal on these grounds regardless of how long they have been employed.

Notice: An individual is entitled to one week's notice if you wish to dismiss them (after their first month of employment.) This notice rises to two weeks after two full years and continues to increase by one week per year up to a maximum of 12 weeks. Notice periods can be longer if this is mutually agreed in the contract.

Wages: It is unlawful to deduct money from a person's wages unless you are legally required to do so, have a contractual right to do so or a separate written agreement signed by the individual.

Holiday entitlement: Employees are entitled to holiday leave from their first day of employment. To calculate current and future holiday entitlements, go to. www.gov.uk/calculate-your-holiday-entitlement.

Family friendly rights: There are a range of entitlements available to parents and those with caring responsibilities.

Flexible working: Get to know best practice and what the legal requirements are around flexible working.

Agency workers: Are entitled to the same basic conditions of employment – notably pay and holidays – as comparable permanent employees after a 12 week qualifying period.

Further information

For a comprehensive list of automatically unfair dismissals and other legal rights see www.gov.uk/dismiss-staff/unfair-dismissals.

For bespoke and commercial help and advice please contact MAD-HR Ltd on **01603 791256**.

Sort out your employment contract

Put the details of an employee's contract in writing. It saves misunderstandings later.

Legal check: The law requires employers to provide, on (or before) their first day of work, a written statement of the main terms of the contract. This should include things like pay, holidays and working hours. This document must be provided to the employee no later than on the first day of employment and the wider written statement within 2 months of the start of employment.

Further information

For a full list of what should be in the contract please contact MAD-HR Ltd on **01603 791256**.

Pay the right rates

Find out what the going rate is and think about what you can afford. Remember that 'total pay' is often more than annual salary or weekly wage. It can include pensions, loans, travel and meal subsidies.

Legal check: From day one of employment your employees have the right to be paid no less than the National Minimum Wage. Rates are changed each April. Further information: For further information, go to www.gov.uk/browse/employing-people/payroll

Legal Check: All employers, irrelevant of size are legally required to set-up a workplace pension, and automatically enrol eligible employees on it when they start working for you.

Recruit the right people

Recruit the right people by drafting a description of the job you want performed and a list of all the personal qualities and skills required. Advertise effectively using a variety of sources such as Job Centre Plus, employment agencies, local press and the Internet.

Legal check: Ensure that your employees are legally allowed to work in the UK. For further information, go to www.gov.uk/government/publications/right-to-work-checks-employers-guide.

Legal check: Data protection processes are needed to manage job applicant data.

Legal check: Potential recruits have the right not to be discriminated against on grounds of sex, race, disability, sexual orientation, religion and belief, age, gender reassignment, marriage and civil partnership, pregnancy and family friendly leave.

Further information

Please call MAD-HR Ltd on **01603 791256**.



Start on the right note

Training and induction

Settle new recruits in quickly – getting them familiar with your culture, their role, colleagues and work environment.

Training needs to be an ongoing concern – line managers, in particular, can benefit from training to help develop their staff.

Further information

Please call MAD-HR Ltd on **01603 791256**.

Set your boundaries early on

Discipline and Grievances

Company rules should cover things like absence, health and safety, standards of performance, timekeeping and use of company facilities.

If the rules are broken you need to take action using a clear, written disciplinary procedure. You also need to give employees the chance to raise concerns and problems through a company grievance procedure.

Legal check: All workers have the right to be accompanied at a discipline or grievance hearing by a colleague or a trade union representative.

Further information

Please call MAD-HR Ltd on **01603 791256**.

Control costs by managing attendance

Manage sickness absence by keeping in touch with employees on sick absence. Always talk to your staff when they return from sick absence and check that they are able to resume normal duties.

Help your staff to return to work more quickly by considering flexible working or an altered routine or duties.

Further information

Please call MAD-HR Ltd on **01603 791256**.

Communicate

Employees need to know about their jobs, the business and its products or services and how what they do contributes to the business outcomes. This can increase employee engagement, commitment and productivity.

They also need to know about their terms and conditions of employment, disciplinary and grievance procedures and how they are performing in their jobs.

Communication also plays a much bigger part in giving employees a sense of control over their work and increasing their levels of commitment to the organisation.

Consider how employee engagement practices can benefit your business.

Further information

Please call MAD-HR Ltd on **01603 791256**.

Know the law and how it relates to your workplace

Stay compliant and stay informed

Always consider issues of:

- ✘ Unfair dismissal
- ✘ Notice
- ✘ Wages
- ✘ Holiday entitlement
- ✘ Family friendly rights such as maternity leave
- ✘ Flexible working
- ✘ The written statement of employment particulars
- ✘ Discrimination
- ✘ National minimum wage
- ✘ The right to be accompanied.

Make sure that your workplace is safe and accessible

The Health and Safety at Work Act 1974, requires employers to put procedures in place to keep staff safe and well, both physically and mentally. Giving appropriate training where needed.

Employers' Liability insurance needs to be in place. This will help you pay compensation if an employee is injured or becomes ill because of the work they do for you.

Legal check: must make reasonable adjustments to make sure workers with disabilities, or physical or mental health conditions, are not substantially disadvantaged when doing their jobs.

Further information

Please call MAD-HR Ltd on **01603 791256**.

GDPR and Data Protection

If you're running a business and employing staff, then you will be collecting and storing personal information about your own employees and job applicants, it's important to follow certain data protection procedures.

Legal Check: An Employer is required to adhere to the rules within Data Protection Act 2018 (DPA), UK GDPR, including having Employee Privacy Notice and Job Applicant Privacy Notice.

Further information

Please call MAD-HR Ltd on **01603 791256**.

