



# Brexit: The Latest Implications for HR

22 October 2020



# Introductions

# Presenters



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HR Operations Manager



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HR Knowledge Manager



# Technical support



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Digital Marketing Executive



# Agenda

- Current Situation
- Employment Legislation
- Processing Data
- Managing EU National Employees
- Recruiting from outside the UK
- What next?

A group of diverse people are seated in a meeting or classroom setting. In the center, a man with a beard and glasses, wearing a grey cardigan, has his right hand raised. To his left, a woman with long dark hair is looking towards him. To his right, a woman with long blonde hair is also looking towards him. In the background, other people are visible, some looking towards the front. The scene is brightly lit with indoor plants and bookshelves in the background.

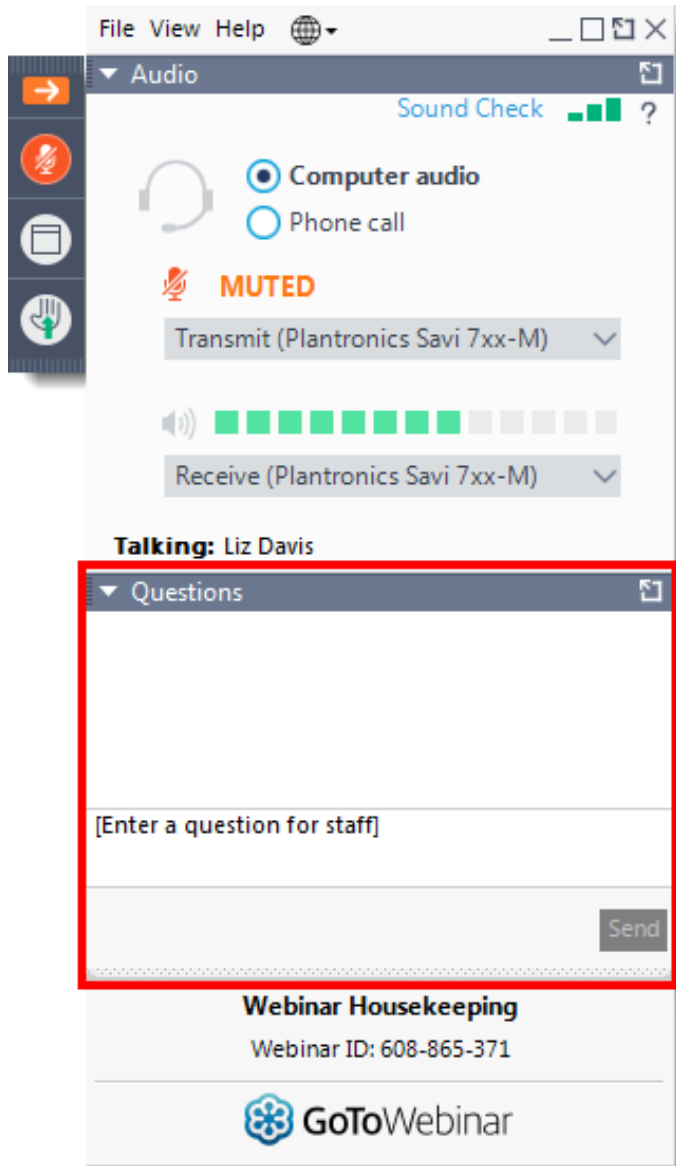
# How to ask questions







# GoToWebinar Housekeeping: Time for Questions



## Your Participation

- Please continue to submit your text questions and comments using the Questions panel





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## **Brexit: The Latest Implications for HR**

22 October 2020

# Agenda

- **Current Situation**
- Employment Legislation
- Processing Data
- Managing EU National Employees
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- What next?



# Current Situation

- Officially out of the UK
- Trade agreement
- Transition period
- Negotiations ongoing
- No deal?
- Covid-19

# Agenda

- Current Situation
- **Employment Legislation**
- Processing Data
- Managing EU National Employees
- Recruiting from outside the UK
- What next?

# Employment Legislation

- Existing UK Legislation
- Guaranteed Employment Rights
  - Before 31 December
  - From 1 January 2020



# Employment Legislation

- Creating New UK Legislation
  - Will not come from EU directives
  - UK to set own legislation
- European Court of Justice (EOC)
- UK Employment Tribunal Decisions

# Employment Legislation

- European Works Council
- Employer Insolvency

# Agenda

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# Processing Data

- GDPR applies during transition period
- GDPR an EU Regulation
- UK Data Protection Act 2018

# Processing Data

- The EU's GDPR rules may still apply if you operate in Europe
- Exchange personal data
- Adequacy Decision

# Agenda

- Current Situation
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- **Managing EU National Employees**
- Recruiting from outside the UK
- What next?



# Managing EU National Employees

- EU Settlement Scheme
- Be in the UK by 31 December 2020
- Application deadline of 30 June 2021



# Managing EU National Employees

- Indefinite Leave to Remain
- In the UK prior to 1973
- Settled / Pre Settled Status
- Employee's own responsibility
- Employers cannot require them to apply

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- **Recruiting from outside the UK**
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# Recruiting from outside the UK

- How you recruit from outside the UK changes
- Points Based Immigration System
- Treats EU and non EU nationals equally
- Arriving in UK from 1 January 2021

# Recruiting from outside the UK

- Sponsor Licence
- Require 70 points awarded by characteristics
- Grace Period (transition period)
- Costs – sponsor licence and immigration skills



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- **What next?**

# What Next?

- Brexit at the top of your agenda (with Covid-19 of course)
- Review recruitment needs
- Understand your current position in terms of whether you already employ EU Nationals



# What Next?

- Seek insolvency advice
- Review EWC agreement and consider what happens from January
- Join our next webinar to learn in detail about the Points Based Immigration System




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# UPCOMING WEBINARS

**Health and Safety at Work: Statutory Compliance**

28 October, Wednesday | 12pm – 1pm

**Right to Work and the New Immigration Points Based System**

12 November, Thursday | 10am – 11am

**More webinars being added....watch this space!**

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