



Employing People: **10** things you need to get right

Presenter



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1 Contracts of Employment

- ✓ The Good Work Plan
- ✓ All workers have a right to have a written statement of employment particulars
- ✓ The right to a written statement of employment particulars is from day 1 of employment
- ✓ Additional information a written statement must contain
- ✓ Changes to holiday pay calculations

2 Paying People

The National Minimum Wage – April 2021		
Age Category	Hourly Rate	
Apprentice	£4.30	Apprentices
Aged 16-17 years	£4.62	(excludes those of compulsory school age)
18-20 years	£6.56	Development Rate
21-22 years	£8.36	National Minimum Wage
23 years +	£8.91	National Living Wage

2 Paying People

- ✓ Statutory Payments, subject to eligibility
 - ✓ Statutory sick pay
 - ✓ Statutory maternity/adoption/paternity/parental pay
 - ✓ Holiday pay
 - ✓ Payment in lieu of notice
 - ✓ Statutory redundancy pay
- ✓ Records of payments and dates required
- ✓ Itemised pay statements
- ✓ Robust system to record hours worked and salaries including statutory payments are paid

3 Working Time Regulations

- ✓ Working time
 - ✓ Job related training
 - ✓ Travel time as part of the job
 - ✓ Travel and waiting time in between client visits
 - ✓ Working lunches
 - ✓ Overtime
- ✓ Maximum weekly hours
- ✓ Multiple employers
- ✓ Statutory paid holiday
- ✓ Rest Periods

3 Working Time Regulations

	Above school leaving age and under 18 years	18 years +
Max weekly working time	40 hours Working hours cannot be averaged out over the 17-week reference period, nor can they opt out. 8 hours daily limit.	48 average weekly hours. Can opt out.
Daily Rest Breaks	30 minutes when working more than 4.5 hours. Unpaid, unless the contract says otherwise	20-minute rest break when working more than 6 hours. Unpaid, unless the contract says otherwise
Daily Rest Period	12 hours rest in each 24-hour period worked	11 hours rest between working days
Night Working	Not allowed between 10pm and 7am Can work 10pm – 12am / 4am - 6am if employed in specific sectors (such as postal deliveries, catering, agriculture, hotel, restaurant etc.) ONLY where no adult workers available, training not adversely affected and allowed equivalent period of compensatory rest	Regularly working at least 3 hours between 11pm and 6am classed as night workers Night period = 11pm to 6am (unless agreed otherwise) Limited to no more than an average 8 hours in a 24-hour period. Can not opt out.

4 Recruiting outside the UK

- ✓ 1 January 2021, EU nationals arriving in the UK to live and work will be required to apply to work via the new Points Based Immigration System
- ✓ Existing visa schemes for recruiting non EU nationals consolidated into the new points based system
- ✓ EU and non EU nationals being treated equally
- ✓ UK employer must hold a sponsor licence
- ✓ EU nationals residing in the UK as at 31 December 2020 must apply to the EU Settlement Scheme

4 Recruiting outside the UK

- ✓ EU Nationals residing in the UK by the 31 December 2020 = EU Settlement
- ✓ EU Nationals new to the UK from 1 January 2021 = Visa
- ✓ Visa's
 - ✓ Skilled worker route
 - ✓ Intra-company transfer
 - ✓ Many other types of visa – global talent route, international students and graduates, start up and innovator

5 Right to Work Checks

- ✓ Legal duty to prevent illegal working
- ✓ Right to work checks on all new starters before employment begins
- ✓ Manual or online checks
- ✓ Emergency COVID-19 measures
- ✓ Conducting appropriate checks before an employee starts work
- ✓ Checks between 1 January and 30 June 2021
- ✓ Checks from 1 July 2021 onwards

6 Job Descriptions & Person Specifications

- ✓ Job Description – describes the work which must be carried out
- ✓ Vital for appraisal systems and managing performance
- ✓ Person Specification – describes the characteristics, skills abilities and experience needed to carry out the role
- ✓ Most valuable tool in the recruitment and selection process
- ✓ No legal requirement but risk discrimination claims without

7 Essential Policies

- ✓ Why have policies and procedures?
- ✓ Help avoid/defend Employment Tribunal claims
- ✓ Provide guidance to line managers
- ✓ Enables the implementation of the HR strategy
- ✓ Provide consistent treatment of employees
- ✓ Supports a culture of fairness and inclusion

7 Essential Policies

1. Absence notification and sick pay
 2. Bullying and harassment
 3. Disciplinary
 4. Equal Opportunities
 5. Family Friendly
 6. Grievance Policy
 7. Health and Safety Policy
 8. IT and computer Usage
 9. Recruitment and Selection
 10. Whistleblowing
- Review and update
 - Non contractual

8 Health and Safety

- ✓ The Health and Safety at Work act 1974
- ✓ The Management of Health and Safety at Work Regulations 1999
- ✓ The Workplace (Health, Safety and Welfare) Regulations 1992
- ✓ Health and Safety (First Aid) Regulations 1981
- ✓ Health and Safety Information for Employees Regulations 1989
- ✓ Corporate Manslaughter and Corporate Homicide Act 2007

8 Health and Safety

- ✓ Set policies
- ✓ Organise staff
- ✓ Plan and set standards
- ✓ Measure performance
- ✓ Audit and review

8 Health and Safety

- ✓ Risk Assessments
- ✓ COVID-19
- ✓ Mental Health First Aiders
- ✓ World Health Organisation report depression as being the leading cause of disability
- ✓ HSE report 828,000 workers suffered from work related stress, depression or anxiety
- ✓ 17.9 million working days lost due to work related stress, depression or anxiety
- ✓ 51% of all work-related ill health due to depression or anxiety

9 Pensions

- ✓ All employers legally required to offer a workplace pension scheme
- ✓ Occupational Pension Schemes
 - ✓ Defined benefit (final salary)
 - ✓ Defined contribution (money purchase)
- ✓ Group Personal Pensions
- ✓ Personal Pensions

10 Employee Benefits

- ✓ Help rebuild following COVID-19
- ✓ Employee needs likely to have changed
- ✓ Employee benefits help employee attraction, retention and employee engagement
- ✓ Consider non financial benefits
- ✓ Flexible benefits system to tailor compensation package to an individual further enhances employee engagement

The 10 key things you need to get right

1. Contracts of Employment
2. Paying People
3. Working Time Regulations
4. Recruiting from outside the UK
5. Right to work checks
6. Job Descriptions and Person Specifications
7. Essential Policies
8. Health and Safety
9. Pension
10. Benefits

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