



Protecting Your Business

16 July 2020



Introductions

Presenters



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Agenda

- The Employment Relationship
- Types of claim
- Redundancy Dismissals
- Managing Furlough
- Returning to a Covid secure workplace

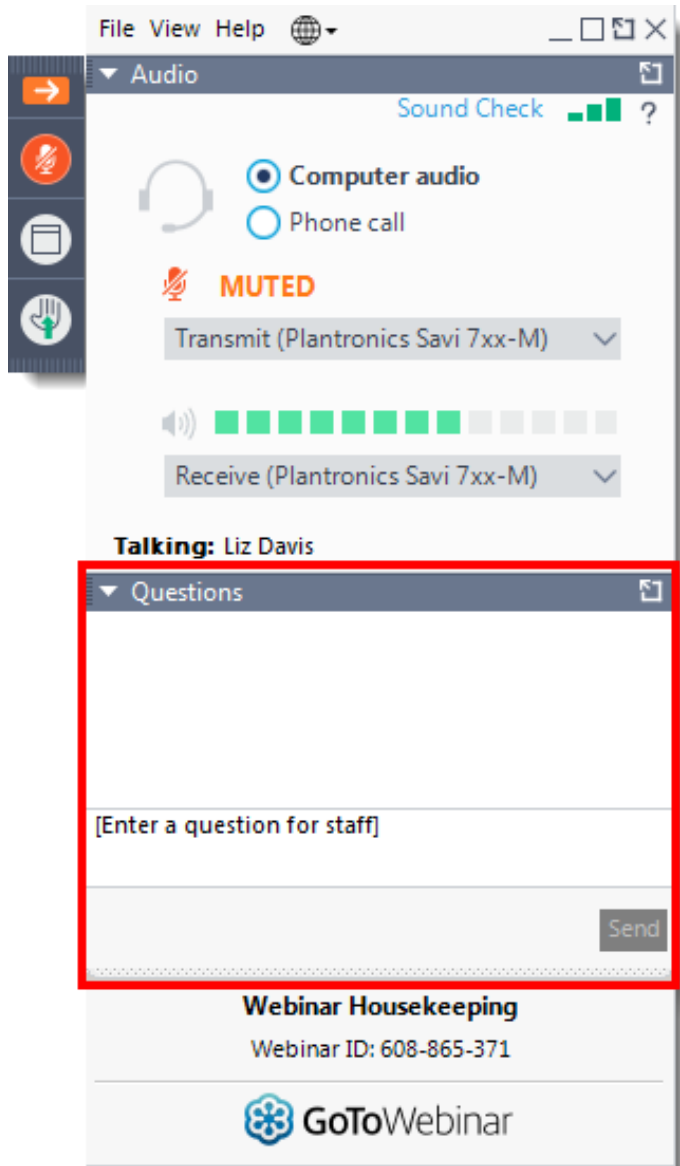
A group of diverse people are seated in a meeting or classroom setting. In the center, a man with a beard and glasses, wearing a grey cardigan, has his right hand raised. To his left, a woman with long dark hair is looking towards the front. To his right, a woman with long blonde hair is also looking forward. 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



Protecting Your Business

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Agenda

- The Employment Relationship
- Redundancy Dismissals
- Managing Furlough
- Return to a Covid-secure Workplace

The Employment Relationship

- Challenging relationships, difficult decisions and conversations
 - Do you make redundancies?
 - Which role is made redundant?
 - Who do you bring back from Furlough
 - Who you don't?
 - How do you deal with refusals to attend work
 - How do you make the workplace Covid secure?

The Employment Relationship: Types of Claim

Wrong decisions or mishandling situations exposes businesses to risk:

- Unfair Dismissal
- Constructive Dismissal
- Breach of Contract
- Discrimination
- Protected Disclosure

The Employment Relationship: Average Tribunal Awards April 2018 - March 2019

Claim	Maximum Award	Average Award
Unfair Dismissal	£947,585	£13,704
Race Discrimination	£33,660	£12,487
Sex Discrimination	£24,103	£8,774
Disability Discrimination	£416,015	£28,371
Age Discrimination	£172,070	£26,148



Agenda

- The Employment Relationship
- **Redundancy Dismissals**
- Managing Furlough
- Return to a Covid-secure Workplace



Redundancy Dismissals

- What is a fair dismissal
 1. The reason for the dismissal was one of the recognised fair reasons
 2. Whether the dismissal was reasonable
 - a) Was a proper procedure followed
 - b) Was the decision to dismiss within the band of reasonable responses

Redundancy Dismissals: Mitigating Risk

- ✓ Have a solid business case
- ✓ Follow your own redundancy policy
- ✓ The role not the person is “at risk of”
- ✓ Formal written notification of the “at risk” roles
- ✓ Comply with legal consultation timescales
- ✓ “Meaningful” Consultation
- ✓ Consider ways to avoid

Redundancy Dismissals: Mitigating Risk

- ✓ Seek volunteers
- ✓ Suitable alternative/alternative employment
- ✓ Fair selection process free from discrimination
- ✓ Decision on redundancies **after** consultation has closed
- ✓ Reasonable time off to seek new employment

Redundancy Dismissals: Mitigating Risk

- ✓ Explain how pay is calculated
- ✓ Formal written follow up of meetings & paper trail of your process, including search for alternative employment
- ✓ Where you have disgruntled employees and there is a risk of a claim incorporate an appeal process

Agenda

- The Employment Relationship
- Redundancy Dismissals
- **Managing Furlough**
- Return to a Covid-secure Workplace

Managing Furlough

Mitigating Risk

Legal considerations

- Employment Rights Act
- The Equality Act
- Health and Safety at Work Act

Managing Furlough

Mitigating Risk

- ✓ Non-discriminatory criteria
 - ✓ Seek volunteers
 - ✓ Use a process based on skills and experience
 - ✓ Review the health and safety risks
-
- Seek informal resolution to any employee concerns
 - Record keeping of your resource planning

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- The Employment Relationship
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- Managing Furlough
- Return to a Covid-secure Workplace

Return to a Covid-Secure Workplace

- Employment Rights Act
 - Section 44 and 100
 - Section Part IVA - 43A to 43L
- The Management of Health and Safety at Work Regulations

Return to a Covid-Secure Workplace:

Mitigating Risk: Returning to work

- ✓ Risk Assessment
- ✓ Effective Communication
- ✓ Explore concerns promptly
- ✓ Explore further measures that could mitigate fear
- ✓ Find a middle ground – reasonable period of leave?
- ✓ Written audit trail of your reasonable steps to resolve

Return to a Covid-Secure Workplace:

Mitigating Risk: Whistleblowing Claims

- ✓ Empower your employees to speak up
- ✓ Understand what stops people coming forward
- ✓ Offer multiple, confidential reporting channels
- ✓ Facilitate a trustworthy open-door approach
- ✓ Give employees access to anonymous reporting
- ✓ Act promptly in dealing with employee matters, to show that as an employer you do act and listen
- ✓ Clearly communicated grievance policy





RETURN TO WORK

Building a plan to help your business post COVID-19?

HR Solutions can help, ask us about our:

Resource Planning Review

www.hrsolutions-uk.com/return-to-work-advice

0844 324 5840



A group of diverse people, including men and women of various ethnicities, are seated in a meeting or classroom. One man in the center, wearing glasses and a grey cardigan, has his right hand raised. The background features a bookshelf and indoor plants. The image has a light blue overlay.

Further questions?

0844 324 5840

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FEEDBACK



UPCOMING WEBINARS

Managing Diversity in the Workplace

30 July, Thursday | 10am – 11am

The Future of Work – New Employment Practices

13 August, Thursday | 2pm – 3pm

Conflict Resolution

17 September, Thursday | 1:30pm – 2:30pm

Save your spot!

HR Knowledge Base | Events

<https://hrsolutions.microsoftcrmportals.com/events>

www.hrsolutions-uk.com/upcoming-webinars



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Webinars archive

Our webinars are available to watch again, on demand. Here are some of our recent webinar topics that you might like to watch:

- ✓ Furlough and Returning to Work Q & A
- ✓ Future of Work – The New Normal
- ✓ Personal Relationships at Work
- ✓ Building Business Resilience
- ✓ eLearning and the Future of Work
- ✓ Returning to Work – Emerging Stronger
- ✓ Return to Work – Practical Guidance for Employers
- ✓ Recruitment – Candidate Experience
- ✓ Managing Home Workers – HR Information Systems
- ✓ Managing Home Workers – Health and Wellbeing



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