Help To Grow, with Loch Associates

Employment Rights:
Using legislation to your advantage





Speakers





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What will we cover today?

Session Content

Consider Three Key Questions:

- What's in the Employment Rights Bill?
- What will it mean for you?
- How can you prepare, now?

Conclude: Q&A





Temperature Check

Zoom Poll:

How confident are you in your understanding of the Employment Rights Bill?

Very

Somewhat

Not at all





Green Paper

New Deal

Manifesto

Election

Result





Slow Progress

The Speed of Change is Slow: Let's Look at 1997

- Tony Blair's Labour Party won General Election on 1 May 1997
- Introduction of NMW = Key Manifesto Pledge
- NMW Bill = Introduced on 26 November 1997 (Six Months)
- Bill received Royal Assent on 31 July 1998 (14 Months)
- Detailed Regulations & Consultation process followed

NMW finally took effect on 1 April 1999 - Two Years Later!

But don't let it creep up on you....





The Employment Rights Bill

A Wide-Ranging Bill: 28 Key Measures!

Factsheet: 'Employment Rights Bill Overview'

- Day One Rights
- One-Sided Flexibility
- Family-Friendly Rights
- Fairness & Equality











Now: Employees need two years' continuous service before they have the right not to be unfairly dismissed.

Next: Unfair dismissal rights will apply from day one of employment, subject to an 'initial period' during which a 'light touch' dismissal procedure can be applied.

Extensive Consultation Required:

- **Initial Period of Employment (IPE)**: Nine months?
- **Light Touch Procedure:** Meeting (accompanied) to explain concerns.





Right People, Right Role!

Review your Recruitment Procedure:

Does it need to be more stringent?

Do my managers need training?

Evaluate your Employer Brand:

Is it clearly conveyed?

What's the candidate experience like?





Prioritise Probation

- Let's Review the Length
- Set up a System
- Make Sure to Monitor
- Provide Probation Training
- Ensure an Audit Trail

Plus: Turnover Could be a Challenge





Modify Performance Management Procedures

IPE: Fair Reason = 'Capability':

- Are you Sure there's a Structure?
- Are your Managers Aware?
- Are your Formal Procedures Appropriate?
- Are your Managers Trained?
- Are your Documents in Order?











Measures to Monitor

Fire & Rehire:

Now: Statutory Code introduced July 2024

Next: Bill would make dismissal automatically unfair

Collective Redundancy:

Now: One establishment

Next: Entire workforce

Zero Hours Contracts:

Now: Allowed subject to exclusivity ban

Next: Offer guaranteed hours after every reference period





Zero Hours?

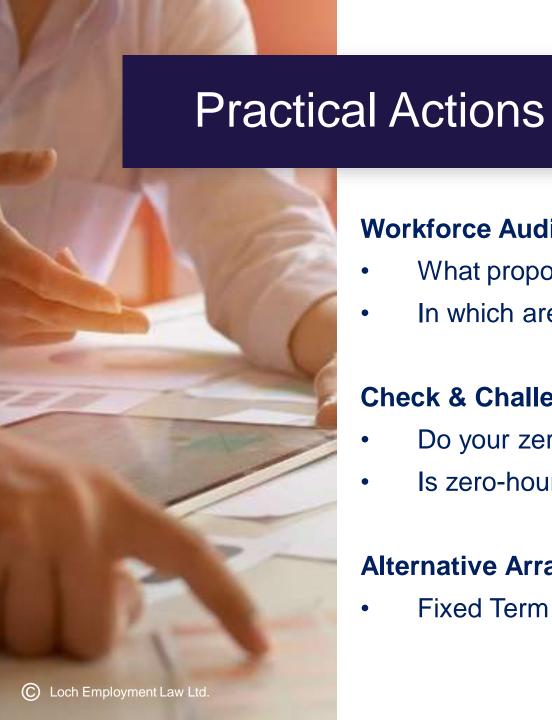
Zoom Poll:

Do you engage zero-hours workers?

Yes

No





Workforce Audit:

- What proportion of your workforce is zero-hours?
- In which areas of your business?

Check & Challenge:

- Do your zero-hours workers actually work regular hours?
- Is zero-hours the best type of arrangement, in reality?

Alternative Arrangements:

Fixed Term, Part Time, Self-Employed Consultant or Contractor?



Family Friendly Rights







Measures to Monitor

Paternity & Parental Leave:

Now: Both parental and paternity leave require qualifying service

Next: Day one rights

Bereavement Leave:

Now: No general statutory right to bereavement leave

Next: Bill gives Government power to introduce day one right

Flexible Working:

Now: Eight grounds for refusal of request

Next: Employer must give 'reasonable' reasons for refusal





Feelings on Flexibility

Zoom Poll:

How do your organisation's managers feel about flexible working?

Love It

Like It

Loathe It





Practical Actions

Assess:

How do your managers feel about flexible working?

Love or Loathe?

Provide training on the legalities & the benefits.

Audit:

How do you treat paternity leave at present?

What about compassionate leave?

Do employees know about parental leave?











Measures to Monitor

Sexual Harassment:

Now: Duty to take reasonable steps to prevent sexual harassment

Next: Extend to 'all' reasonable steps

Statutory Sick Pay:

Now: SSP payable from day four

Next: SSP payable from day one





All Aware?

Zoom Poll:

Were you aware the law on sexual harassment in the workplace changed in October 2024?

Yes

No





Practical Actions

Assessment:

Conduct a Sexual Harassment Risk Assessment Conduct a Policy Review

Training:

Provide Training to Managers & Staff Ask for Staff Insights

Audit:

How is Sick Leave Paid at Present?

Consider the Financial Impact & Preventative Steps





Implement Insurance

More People with Rights = More Claims

More Claims = More Delays

 More Delays = More Witness Uncertainty & Management Time/Cost

Consider: 'Fair' & Documented Procedure

Consider: Early Mediation

Consider: ET Insurance











Employment Rights Bill:

- Considerable Changes
- Significant Challenges

But also an opportunity!

- Undertake an Audit
- Train, Train, Train
- **Consult Collectively**





Ask Us Anything!





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