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# Training Topics: Managing People

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CRS  
CharlesRussell  
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## **Employment law changes on a regular basis. It is important to keep on top of the latest legislative changes, as well as addressing changes in style and approach on the back of macro dynamics in the market.**



We provide updates to our clients and contacts through a number of different means to address their specific needs. This includes our bespoke training session, as detailed in this programme. These topics are just examples of the training we have available. To tailor the programme to suit you and for pricing information please contact Nick Hurley or your usual Charles Russell Speechlys contact.

### **Business transfers: principles and practice**

Those working on business transfers and outsourcing arrangements will be familiar with the, often complex, principles of TUPE. In this session, we focus on:

- A brief overview of TUPE: examining the traditional business transfer and the service provision change.
- Explaining the key stages of the process, from planning and election of employee representatives, through to post transfer issues focusing on practical and commercial solutions.
- Recent case law developments

### **The impact of the “gig” economy on employment status**

New business models and individuals seeking more flexible work options are changing the make-up of the workforce in the UK. The legislation is struggling to keep pace with these changing working practices. It is no longer simply a question of deciding whether you want to engage a worker on an employed or self-employed basis - your workforce may be made up of part-time workers, fixed-term employees, agency workers, those on zero hours contracts as well as the genuinely self-employed. But what rights do these different types of worker have? In this session we focus on:

- What are the different types of worker/employee status?
- What rights attach to these?
- Practical guidance on managing an atypical workforce.

### **Data protection for human resources**

Data protection obligations impact on all aspects of the employment relationship from recruitment through to references post termination. The GDPR was implemented in the UK through the Data Protection Act 2018 and has enhanced data protection rights. The legislation raises many issues from what information can be sought from prospective employees to how long personnel records can be kept after an employee has left; as well as the extent of an employer's obligations in meeting a subject access request. In this session we will provide:

- An overview of the data protection legislation.
- Practical tips on managing personnel records.
- The implication of the subject access request rights.

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**Don't expect regulation to change around Data Protection post Brexit. Act now for a smoother transition process**

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### **Drafting employment contracts and policies**

Most employers will have written contracts of employment in place for their staff, but ensuring they are up to date and include key provisions is an ongoing issue. Employment legislation is getting increasingly complex. As a result, employment contracts are getting longer and staff handbooks fatter. This session will identify the main provisions for inclusion in the employment contract and deal with appropriate policies and procedures to be used in a staff handbook. In this session, we focus on:

- The “Section 1” Statement and mandatory terms.
- Terms implied into the employment contract.
- Special provisions for senior employees.
- Identifying key policies and how often they should be updated.

### **Flexible working and family friendly policies**

With increased demands for more flexible working arrangements, both from those with young families as well as from those who are looking for a different balance in their working life, it is getting increasingly difficult for employers to navigate their legal obligations whilst not losing sight of their business requirements. How should an employer approach requests for part-time work, job shares and flexible working hours?

Employers understandably have genuine concerns about how the working arrangements will affect their businesses and client/customer service, but requests cannot simply be ignored. In this session we will provide guidance on:

- The legal framework behind such requests including the flexible working regime, part time working provisions and the discrimination legislation.
- How far an employer should go to accommodate such requests when there are genuine business concerns as to how the arrangement will work in practice.
- A comprehensive account of the procedures employers should follow when dealing with such requests.

### **Gender Pay Gap Reporting**

The new Gender Pay Gap Reporting Regulations came into force in April 2017. As a result, all employers with 250 or more employees are required to report on the gender pay gap in their organisation by 4 April each year and publish the information on their website and on a government-sponsored website.

During this session we will:

- Give practical guidance on the steps needed to comply with the reporting obligations, using case study examples.
- Discuss ways to present the data including the use of contextual narratives to accompany it.
- Provide guidance on communicating with your employees about the process and the outcome.

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**Support with putting a plan in place in response to Gender Pay reporting in April each year**

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## Preventing the year on year increase of work related bullying and harassment

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### Introduction to equal opportunities

With the breadth of discrimination legislation in force in the UK, no employer can afford to ignore this. Managing equality in the workplace often means dealing with sensitive issues, emotionally charged situations and circumstances that may be embarrassing to those involved. Understanding the legal issues, whilst managing the situation sensitively, is often a difficult path to tread. We deal with the practical implications of the Equality Act 2010 on every aspect of the employment relationship from advertising and recruitment through to termination and will provide practical tips for minimising the risk of discrimination claims in the workplace, and dealing with allegations if they arise, including:

- Recruitment and selection.
- Pay and conditions.
- Workplace behaviour.
- Termination of the relationship.
- Post termination protection.

### Bullying and harassment in the workplace

Workplace complaints concerning alleged bullying and harassment are increasing year on year, but handling these complaints is anything but straightforward for employers. Bullying and harassment is not always easily recognised as it may not be obvious to others. Employees may be worried of being accused of overreacting, or that they will simply not be believed. However if such treatment goes unchecked not only will employers have morale issues, but it may also be liable for claims.

In this session, we guide you through pitfalls and legislative protection, including:

- What protection is there for employees?
- How to manage sensitive investigations.
- How to ensure employees are aware of what behaviour is and is not acceptable.

### Managing ill health absences

Many employers think that there is little that they can do to tackle employee absence. With well managed sickness absence procedures however, this is not the case. Tackling absence at an early stage, clarifying reasons for the absence and assessing whether sickness is the underlying cause can help employers reduce the costs of absence and improve the company's productivity.

In this session we provide guidance on:

- Managing short-term absences, persistent intermittent absences and long-term absences.
- The inter-relationship between ill-health absences and the disability discrimination provisions.
- Contractual considerations.
- Termination.



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## Are your employees one of the half a million people saying they are experiencing work related stress, anxiety or depression?

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### Managing stress in the workplace

The HSE reports that around half a million people in the UK say that they have experienced work related stress, anxiety or depression at a level that has made them ill. Throughout Europe more than 40 million people experience mental and physical abuse in the workplace on a daily basis. This is clearly a growing concern for both employers and employees. In this seminar, we will:

- Focus on what systems you can put in place to reduce the incidence of stress in the workplace and what steps you can take to tackle it when it arises.
- How recent case law impacts on the steps you should take to protect your employees and the company.
- Practical guidance on how to deal with stress in the workplace.

### Managing redundancy

Redundancy dismissals need to be handled sensitively. The process is difficult for both those leaving the business as well as those who remain, who are likely to be unsettled. Through practical case studies, we will guide you through the potential pitfalls for employers who find themselves facing redundancies, including:

- The legal framework.
- Practical guidance on effective consultation and adopting objective selection criteria.
- Managing the process.

### Social media in the workplace

The rise of the use of social media in the workplace has brought with it corresponding advantages and risks for businesses. Facebook and Twitter profiles for businesses are now commonplace enabling a company to communicate instantly with its customers and suppliers. However, this also means that the dissemination of damaging information by a disgruntled employee only takes a couple of clicks. In this session we look at issues:

- from recruitment to termination including cyberbullying, post-termination including protection of confidential information and damage to reputation
- on the importance of having a social media policy in place and what should be included in it

### Managing poor performance

Poor performing employees will have a negative impact on a company's business. Tackling poor performance at an early stage will improve both employee relations and productivity. Separating conduct and capability issues will be key to ensuring that the proper procedures are followed. In this session we will provide:

- Practical guidance on managing poor performance.
- Step by step guidance through the process.
- Handling termination, where appropriate.



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## How to address the £30bn problem?

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### **Managing disciplinarys**

The mismanagement of disciplinary and grievance matters costs employers both time and money. Failure to follow the ACAS Code of Practice can increase any award by up to 25%, further highlighting the importance of getting it right. In this session we will provide practical guidance on:

- The legal framework.
- How to conduct investigations, disciplinary meetings and the appeals process.

### **Mental health in the workplace**

According to MIND, one in four people suffer from mental ill health at work. We highlight legal and practical issues for employers dealing with mental health issues in the workplace from an employment law perspective, including:

- An overview of the law on discrimination, stress, bullying and harassment including claims, defences and compensation.
- Guidance on what policies and procedures to put in place.
- The practical aspects covering tips and how to avoid pitfalls based on case examples.

### **Pre-termination Negotiations and Settlement Agreements – use and practice**

Settlement Agreements are a perennial favourite of HR practitioners to effect a clean and efficient termination of employment. However, it is important to understand the limitations of using a Settlement Agreement. This session is designed to give practical guidance on the use of Settlement Agreements and alternative settlement methods, including:

- Use of the “without prejudice” banner in the termination process and pre-termination negotiations.
- The effective compromise of statutory and contractual employment claims and the exceptions to the normal rules.
- Tax treatment of sums payable under settlement agreements.
- Key provisions of a Settlement Agreement.
- Enforcing rights under a Settlement Agreement.
- Reaching settlement through ACAS.

**Contact**

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