

CONTENTS

Introduction 1

01 Recruiting Staff 7

- Deciding whether to recruit 7
- Preparing a job description 8
- Preparing a person specification 11
- Role profiles 13
- How to recruit 13
- E-recruitment 18
- Interviewing 20
- Other selection methods 24
- Avoiding discrimination in selection 27
- Making a job offer 29
- Rejecting candidates 37
- Special cases 38
- Employment of Croatian nationals 42

02 Writing Employment Contracts 45

- Deciding whether someone is an employee 45
- The contract of employment 46
- Specific contractual clauses 52
- Types of contract 55
- Amending contracts 58

03 Paying Staff 71

- Deciding how much to pay 71
- Job evaluation 73
- The job evaluation process 79
- How pay is made up 84
- Bonuses 87
- The National Minimum Wage 87
- Guarantee payments 88
- Director's Remuneration Report Regulations 2002 88
- Deductions from pay 89
- Itemized pay statement 90

04	Employee Benefits	93
	Pensions auto-enrolment	95
	Shares and share options	97
	Cars	98
	Flexible benefits	98
	Taxation of benefits	100
05	Performance Management	103
	The importance of managing performance	103
	The performance management process	103
	Training and development	115
06	Dealing with Absence	133
	Planned absences	133
	Reducing unplanned absences	135
	Pay during absence	141
	Dealing with persistent absence	144
	Company health check	146
07	Maternity and Paternity Rights	149
	Time off for antenatal care	149
	Medical suspension during pregnancy	149
	Maternity leave	150
	Statutory maternity pay	154
	Paternity leave	158
	Statutory paternity pay	158
	Shared Parental Leave	158
	Shared Parental Pay	159
	Notification of Shared Parental Leave and pay	159
	Adoption leave	160
	Statutory adoption pay	160
08	Working Hours and Holidays	161
	Working Time Regulations 1998	161
	Annual holidays	166
	Parental leave	166
	Sunday working	166
	Employment of schoolchildren	167
	Flexible working arrangements	167
09	Writing a Staff Handbook	175
	Welcome to the company	176
	Background information	176

- Terms and conditions of employment 177
- Disciplinary procedure 180
- Grievance procedure 181
- Confidential information 181
- Intellectual property 182
- Restrictions during and after employment 182
- Company property 184
- Gifts 184
- Equal opportunities policy 184
- Health and safety policy 185
- Smoking at work 186
- Harassment policy 186
- Modern Slavery Act 2015 188
- Other matters 188

10 Personnel Records and Data Protection 189

- Personnel records 189
- Data protection 190
- Monitoring of e-mails and telephone calls 195

11 Handling Organizational Change 199

- Changes in responsibilities 199
- Changes to processes and procedures 200
- Obtaining commitment to change 201
- Relocation 202
- Business transfers 203

12 Handling Disciplinary Issues 207

- Disciplinary rules 207
- Disciplinary procedure 209
- Conducting a disciplinary hearing 217
- Taking disciplinary action 220
- Specific disciplinary situations 223
- Appeals against disciplinary action 226

13 Dealing with Grievances 229

- Grievance procedure 229
- Handling a grievance 231
- Bullying and harassment 231
- Appeals against grading 233
- Mediation 233

14 Terminating Employment 235

- Meaning of dismissal 235
- Dismissal with notice 235
- Enterprise Act 2016 237
- Termination without notice 238
- Written reason for dismissal 238
- Date of termination of employment 238
- Avoiding unfair dismissal 239
- Wrongful dismissal 242
- Constructive dismissal 242
- Types of dismissal 242
- Giving references 257
- Exit interviews 258

15 Dealing with Tribunal Cases 261

- The role of employment tribunals 262
- How to defend a claim 262
- Compensation for unfair dismissal 264
- Unreasonable behaviour 264
- Reconsideration of a tribunal's decision 264

16 Ensuring the Health, Safety and Welfare of Employees 267

- General responsibility 267
- Enforcement of the Health and Safety at Work, etc Act 1974 268
- Safety committees 269
- Management of health and safety 271
- First aid 271
- Provision of sanitary facilities 271
- Reporting of injuries, diseases and dangerous occurrences 272
- Health and safety policy 272
- Health and safety regulations 274

17 Working with Trade Unions 277

- The role of a trade union 277
- Recognizing a trade union 277
- Employees' union rights 281
- Local trade union representatives or shop stewards 282
- Providing information to trade unions 283
- The Information and Consultation Regulations 2004 284
- Handling disputes 284
- Trade Union Act 2016 287

Index 289