

What does the change in government mean for HR?

Key speaker notes

07/08/2024

Slide 1

- Remember it is always the worst employees who know their rights the best!
- Identify all the elements you may need to consider when Employment Law changes:
 - updating or introducing new policies and procedures
 - updating forms
 - re-doing letter templates
 - changing the behaviors and habits of employees and line managers

Slide 3

Changes are unlikely to be effective from mid-October, but we are anticipating some speedy action.
The best practice is not to wait for legislation to change before reviewing HR processes.

Slide 4

Removal of wage bands

Take stock of your current employee's ages and budget for an increase in wages if you have high numbers.
Consider what you can do to improve the effectiveness and productivity of these workers to justify the extra wages you may need to pay them.

Zero Hour Contract Reform

Rather than a total ban, it is more likely to be an evaluation and removal of exploitative practices.

- Consider how you deal with cancelling employees' shifts and if you can provide compensation for this when cancelling at short notice.
- Do you need to use zero-hour contracts where you can see a regular pattern of work? Would a part-time permanent contract be better?

Single Worker Status

Consider the cost implications if you were required to extend statutory rights to people currently working on contracts – e.g. holiday pay, sick pay, and redundancy. It is anticipated that there will be extensive consultation on this with businesses and contractors.

Slide 5

Fire and Rehire

Be aware that there is a new Code of Practice that came into effect on 18 July.

[Code of practice on dismissal and re-engagement issued by the Secretary of State under section 203 of the Trade Union and Labour Relations \(Consolidation\) Act 1992 - GOV.UK \(www.gov.uk\)](#)

Slide 6

Changes to SSP waiting periods

The proposed change removes the need to delay receiving SSP until Day 4. This may have budget implications for businesses that do not currently have a top-up of Company Sick Pay.

Review company sick pay and sickness absence policies.

Parental leave reform

The proposed change removes the qualifying period before being able to claim this leave entitlement.

Whilst it is unpaid leave, consider the budget considerations of how this will impact overtime, reduction in production, or service.

- Review your current practices of recording this type of leave.
- Consider how you capture how much leave new employees have left in their entitlement after they join the business.
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Flexible Working

There is already provision for this to be a Day One right however this may be extended to ensure employers accommodate the requests as far “as reasonable”.

To prepare for this, consider the business grounds where you might refuse a request for flexible working and determine what evidence or mechanisms you could use to justify this.

The right to disconnect

This is likely to follow other countries that have brought this in. The idea is that you provide a better work/life balance and allow employees to fully disconnect from work outside of their contracted hours.

Keep alert to any changes where employees may be given the option to opt out of this (like for current working time regulations).

Consider what your work practices are currently – is this part of your working culture and if so, is it necessary?

Slide 7

Dismissal after maternity leave

The proposed change is to ensure that anyone returning from maternity leave would not be able to be dismissed for a period of up to 6 months unless in very specific circumstances.

Review of Health and Safety to put mental health on par with physical health

This was introduced in Australia in 2022, and the lessons from this are an indicator of what might be introduced in the UK.

A Code of Practice was introduced requiring businesses to undertake audits to identify possible psychological health hazards. A psychological hazard is defined as anything that produces a stress

response that could then lead to psychological or physical harm. Examples provided in the Code include:

- How a job is designed, managed, or supervised
- Role Overload
- Identification of jobs where there are inherent psychosocial risks (emergency response workers, nurses, aged care workers looking after dementia patients)
- Social factors at work, workplace relationships, and social interactions (cultures of bullying, harassment, or non-resolved issues of conflict).
- Inadequate reward and recognition

Audits are required to:

- identify hazards,
- what control measures are in place and
- how you demonstrate the management of these.

It may be prudent to start thinking about anything that you can identify in your current workplaces that may give rise to concern (or cause a stress response) and look at what you can do to circumvent these.

Slides 8 & 9 **Removal of the 2-year qualification period to raise a claim for Unfair Dismissal**

The key message to stop this being impactful is to:

Hire and retain good people

This includes a review of your recruitment processes:

- Look at using assessments as part of your recruitment processes – don't rely on Q&A style interviews
- Understand the role of the job, what skills and knowledge are important, and what training needs to be provided to new joiners
- Don't follow a "one out; one in" approach. If someone leaves it is an opportunity to re-evaluate your needs, restructure tasks, and recruit for skills and knowledge that will be beneficial moving into the future.

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Ensure you have good onboarding processes

Onboarding should cover the following:

- Explanation of the role and your expectations
- The resources and tools provided
- What performance reviews and progress check-ins



they can expect

- Any cross-team collaborations and introductions that need to be made
- Compliance and policies that apply to their role
- The identification of skill or knowledge gaps and the training that needs to be addressed
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Manage Performance

Set KPIs and tier these to show expectations of achievement for:

- 1st six months
- 2nd six months
- What good and proficient looks like at 2 years

Ensure that you can effectively measure performance objectively.

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and
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