



SmartHR

Monthly People Management Feature

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The importance of regularly reviewing and updating your HR policies

Not only is it important to regularly review your HR policies and update these where necessary to ensure that you comply with ever changing employment legislation, it is also important to review that your policies and procedures meet your business requirements and support your business strategy.

This year, there have been a number of changes to employment legislation in the Isle of Man and the UK, including:

Isle of Man:

- An increase to the minimum wage level for adults.
- Civil Partnership Act 2011 – this has changed some aspects of employment law including:
 - The Control of Employment Act 1975 - allowing the civil partner of either a permit holder or an exempt person to be granted a section 3A permit;
 - The Employment (Sex Discrimination) Act 2000 - a person in a civil partnership is protected against direct and indirect discrimination; and
 - The Employment Act 2006 – the right to request flexible working has been extended to include the civil partner of the particular employee.

IOM Work Permit consultation occurred regarding the Control of Employment Bill and Regulations.

Consultation is currently underway in relation to the proposed introduction of disability legislation on the Island. The proposed new Equality Bill will deal with discrimination on the grounds of race, religion, sexual orientation, age, disability and gender reassignment.

Potential future changes for the UK include: a Private Members Bill being debated at the end of November regarding the introduction of maximum compensation awards for employment tribunal compensation awards (including unlawful discrimination - these are currently unlimited); the introduction of mandatory equal pay audits for employers who are found by an employment tribunal to have discriminated on grounds of sex in relation to pay; proposed extension of the right to request flexible working; a new system of flexible shared parental leave; reviewing TUPE legislation; and an amendment to working time regulations in relation to the rules on annual leave and sickness absence. The UK Government has confirmed extending unfair dismissal protection rights from 1 year to 2 years – this is due to take effect in April 2012; and introducing a fee for bringing a tribunal claim (consultation on this is due to commence shortly).

Reviewing the findings from employment tribunals and employment appeal tribunals and can also help when assessing whether changes to your HR policies need to be made e.g. reviewing the wording of your Disciplinary Policy and IT Policy in relation to the use of social media sites.

Regularly reviewing and updating your HR policies will enable you to ensure that you comply with employment legislation, minimise the potential risk of employment claims; and ensure that your HR policies, procedures and day-to-day people management practices are appropriate and suitable for your business.

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