



SmartHR provides a wide range of *professional and effective outsourced HR solutions* to businesses and individuals. With almost 20 years' HR management experience, we utilise our skills and knowledge to assist clients in 3 areas: Recruitment, HR Consultancy and Training.



Recruitment:

- Executive Appointments
- General Recruitment
- Interim Positions



HR Consultancy:

- HR Consultancy and Advice
- Tailored Business Support Packages for a fixed monthly fee
- HR Healthchecks and Planning
- Employment Contracts and Staff Handbooks (IOM and UK)
- HR Policies and Procedures
- Induction, Performance Review and Succession Processes
- Ad hoc / Interim HR Projects
- Redundancy Support and Outplacement Services
- Online E-HR Shop to purchase template employment documents



Training:

- 'Skills Workshops' to improve people management skills
- 1-to-1 coaching e.g. managing absence, discipline & grievances

Welcome to SmartHR's August 2012 E-Newsletter

We hope you find this e-newsletter of interest and share it with your colleagues. Gail Yeowell Chartered FCIPD FInstAM(Dip) FCMI FIRP
Managing Director, Smart HR Solutions Limited

Read our Client Testimonials here: [Testimonials](#)

FTSE 100 Companies to be ranked on HR Metric Reporting

FTSE 100 companies will be ranked in future on how they report staff engagement and wellbeing. This is as a result of research completed by Business In The Community (BITC) that revealed a 'critical link' between HR metrics and raised productivity.

Results found that FTSE 100 firms who reported staff engagement and absence data outperformed their peer group by 10%.

The BITC Workwell pilot will be launched in the autumn, with an international roll out expected later in 2013.

All FTSE 100 companies will be asked to take part in the process and will be benchmarked against BITC Public Reporting Guidelines on employee engagement and wellness.

Where companies choose not to take part, Towers Watson will complete the assessment on their behalf.

Results will be published alongside the wider Corporate Responsibility Index results from March 2013.



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UK Company fined £480,000 for Corporate Manslaughter

Lion Steel Equipment has been fined £480k for corporate manslaughter, and ordered to pay £84k prosecution costs, following the death of a worker who died after falling through a fragile roof panel in Hyde, Cheshire in 2008.

Individual charges against the Company's three Directors for gross negligence manslaughter were dropped in return for the Company pleading guilty to corporate manslaughter. *To date, this is the largest fine under UK corporate manslaughter legislation.*

Sickness absence or underperformance costs the UK economy almost £30 billion

Nick Clegg has urged employers to take '3 Simple Steps' to address mental health issues:

1. Sign up to the existing 'Time to Change' campaign pledge to end discrimination against people with mental health issues
2. Get specific training for mental health issues
3. Use the free Health for Work Advice Line in England for advice and support.

Nick Clegg stated that 70 million working days are lost to conditions such as anxiety and depression each year, which costs employers more than £1,000 per employee every year through sickness absence or people underperforming. *Employers are being encouraged to take a 'mental health stock check' to boost employee health and wellbeing.*

The CIPD has also launched a free stress management tool, developed with the Health & Safety Executive, designed to help equip Managers with the skills to manage positively and prevent stress in their staff.

CIPD Survey reveals that corporate scandals are eroding trust in Senior Leaders and having a damaging impact on employee engagement

Results of a CIPD Survey of 2,000 employees show that only 36% of workers trust their Senior Leaders and 58% of workers show signs of having adopted a 'not bothered' attitude to their work.

Employees who showed 'neutral' engagement are about half as likely to 'go the extra mile' in terms of workload and hours than those employees who are engaged – *and are almost 3 times more likely to be looking for a new job.*

Only 24% of employees surveyed agreed that they are consulted by Senior Managers about key issues that affect the business, and only 40% were satisfied with the existing opportunities that are in place to feed their ideas and views upwards to Senior Management.

The survey also found that employees who trust their Senior Managers are more likely to express satisfaction with their wellbeing and are less likely to report being under stress.

The full survey report can be found at: <http://www.cipd.co.uk/hr-resources/survey-reports/employee-outlook-summer-2012.aspx>

So... what can you do?

- Look at the impact the behaviours and leadership styles of Senior Managers are having on employees within the Company
- Review and identify how corporate culture can be improved from the Board / top level downwards
- Review and re-define corporate values
- Identify ways in which the corporate values can be embedded within the Company
- Identify how values can be reinforced, incentivised and rewarded through day-to-day management behaviour
- Assess current levels of employee engagement within the Company
- Identify and seek views on ways to increase employee engagement
- Create an action plan, monitor and review regularly, obtain feedback and make any adjustments required

Need help with HR / people management matters? Contact Gail on 619619, 478764 or gail@SmartHR.co.im to discuss your needs

SmartHR E-Newsletter

August 2012

Issue 20

UK: New ACAS Guide to help Employers understand the rights of women who are pregnant or on maternity leave when facing redundancy situations

A new guide 'Managing Redundancy for Pregnant Employees or those on Maternity Leave' has been published by ACAS and the Equality Human Rights Commission.

The guide can be found at:

<http://www.acas.org.uk/index.aspx?articleid=3832>

UK: Third Party Harassment Reforms

The UK Govt is currently consulting on proposals to remove protections conferred 2 years ago via the Equality Act 2010.

At present, a worker can bring a claim against their employer where a third party (e.g. a client or customer) harasses them in the course of their work. Claims can only be made after 3 instances of harassment, and employers can have a reasonable defence against such a claim if it can show that it took reasonable steps to prevent the harassment from occurring. *If changes are made, an employer could potentially face a claim after only 1 instance of harassment or abuse by a client or customer. The consultation closes on 7 August 2012.*

UK: Legislation could be introduced to protect Reservists at work

The UK Govt has advised that it intends to publish a consultation paper in the autumn re proposals to introduce employment laws to protect the increasing number of UK Reservists, in order that Territorial Army Soldiers can go to war if required.

AN INTERESTING EMPLOYMENT TRIBUNAL / EAT CASE REGARDING DISMISSAL AND BREAKDOWN OF TRUST...

Governing Body of Tubbenden Primary School v Sylvester (case ref UKEAT/2012/0527 11 2504)

In this UK case, the claimant (Sylvester) was Deputy Head of the Primary School and had a friendship with another Teacher (Quinney). Quinney was suspended from work for possessing indecent images of children. Sylvester continued a friendship with Quinney despite being advised against it by the Head Teacher.

The Education Authority met with Sylvester in January 2009 regarding the friendship, but concluded that no action needed to be taken.

In August 2009, the Head Teacher held a meeting with Sylvester following complaints from parents regarding the situation. The Head Teacher suspended Sylvester. Sylvester enquired whether it would make a difference if she ended her friendship with Quinney. The Head Teacher declined to comment.

In December 2009, Sylvester attended a disciplinary hearing. Three allegations were considered against her. Two regarding her conduct and the impact it had on the School's reputation and the safety of the children, and one to look at whether there had been a complete breakdown in the trust and confidence between Sylvester and the Head Teacher. Sylvester was subsequently dismissed. The School considered the breakdown of trust and confidence as 'some other substantial reason' (SOSR) - a potentially fair reason for dismissal.

Sylvester claimed unfair dismissal. It was upheld by the Employment Tribunal and the Employment Appeal Tribunal (EAT).

Although a breakdown in trust and confidence can be considered a potentially fair reason for dismissal, it must still be reasonable to dismiss the employee given all the circumstances. The EAT criticised the School for failing to warn Sylvester of the potential consequences of her relationship with Quinney, not informing Sylvester of the concerns and comments raised by parents, and for giving an impression that it condoned Sylvester's continuing relationship with Quinney.

The EAT found that the School should still have had proper regard to the ACAS Code (as it would do in misconduct situations). This would normally entail going through a process of providing formal warnings and allowing time for improvement unless the behaviour is considered very serious and dealt with as gross misconduct.

ET's / EAT's will look at the reasonableness of the decision to dismiss given all the circumstances and can examine the actions taken leading up to dismissal.

To find out how SmartHR can add value to your business call Gail on 619619 / 478764, email: gail@SmartHR.co.im or visit our website at www.SmartHR.co.im

Other UK news...

🔥 **Supreme Court rules that the UK's points-based immigration rules are unlawful.** The Supreme Court has ruled against the UK's points-based system for skilled migrant workers because it was introduced without parliamentary scrutiny. Reports suggest that non-European Union applicants whose visas were denied following introduction of the rules in 2008 could now appeal their decisions. The Home Office has said it will "act quickly" on the matter and guidance is expected in the near future.

🔥 **Revised UK Employment Tribunal fees confirmed.** The UK Government has confirmed the fee levels that claimants will have to pay from summer 2013 in order to bring an employment tribunal case. To bring an unfair dismissal, discrimination or equal pay case to a full hearing (Level 2), claimants will have to pay a £1,200 fee in advance - £250 when the claim is lodged and £950 when the hearing begins. Claims for redundancy pay or unpaid wages (Level 1) will cost £390 - £160 initial fee and £230 if the hearing progresses. *The claimant has another alternative – pursuing mediation from a judge, rather than lodging a full claim – this will cost £600. Claimants on low incomes will be able to apply for exemption from the fees.*



Are you complying with employment legislation?

Do you need support with HR matters on a flexible basis?

Contact Gail on 619619 / 478764, email gail@SmartHR.co.im or visit our website at: www.SmartHR.co.im

SmartHR delivers a range of 'Skills Workshops' in order to enhance people management performance, including:

- Effective Recruitment & Selection
- **Effective Appraisals & Objective Setting**
- Managing Performance
- **Negotiating & Influencing**
- Coaching & Feedback Skills
- **Managing Performance Problems**
- Managing Discipline & Grievances
- **Managing Absence**
- Effective Team Meetings
- **Effective Time Management**
- Delegation Skills
- **Managing Stress**
- Customer Care, Telephone & Time Management Techniques
- **Train The Trainer**

Visit the **Training page** of our website for details of all of our training workshops. Click on the workshop name for course outline and learning objectives.

For a cost effective quote to deliver any of the courses internally, please email gail@SmartHR.co.im

We can also create bespoke courses & deliver employment law presentations

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