



SmartHR provides a range of professional and cost effective HR management and training outsourcing solutions for businesses, including...

- **Strategic HR audits & planning**
- **HR health checks**
- **Recruitment assistance**
- **Contracts of employment**
- **Employee handbooks**
- **Induction processes**
- **Reviewing, updating and / or creating HR policies & procedures (IOM and UK)**
- **Employment documents e.g. letters, forms, checklists**
- **Training and development via 'Skills Workshops'**
- **Coaching e.g. managing absence, managing discipline and grievances**
- **Performance management / appraisal systems**
- **Adhoc / interim HR projects**
- **Succession planning**
- **Change management initiatives**
- **Redundancy management & outplacement services**

We can provide HR retained service packages for a fixed monthly fee, assist with projects on a fixed fee basis, or you can use our services on a 'pay as you go' basis.

You can also purchase template HR documents from our online 'E-HR Shop' at www.SmartHR.co.im

Welcome to SmartHR's July 2011 E-Newsletter

Our newsletter will be distributed on a monthly basis, providing articles of business interest, HR news / updates and information regarding SmartHR's business solutions. *We hope that you find this newsletter of interest and share it with your colleagues.*

Gail Yeowell Chartered FCIPD, FInstAM(Dip), FCMI
Managing Director, Smart HR Solutions Limited

UK Bribery Act is now in force

On 1 July 2011 the UK Bribery Act came into force. The Act incorporates 4 possible offences: **1) bribing another person** – to offer, promise or give a financial or other advantage to another person to perform a relevant function or activity improperly; **2) being bribed** – accepting, agreeing to accept or requesting a reward in return for performing a relevant function or activity improperly; **3) bribing a foreign official** – where a person offers, promises or gives a financial or other advantage to a foreign public official in the performance of his / her duties or official functions in a situation where the public official was not permitted or required by law to be influenced; **4) failure of commercial organisations to prevent bribery** – a commercial organisation will be liable to prosecution if a person associated with it bribes another person intending to obtain or retain business or an advantage in the conduct of business for that organisation. *The commercial organisation will have a full defence if it can show that despite a particular case of bribery it nevertheless had adequate procedures in place to prevent persons associated with it from bribing.*

Guidance on the Act can be found at:

- <http://www.justice.gov.uk/news/newsrelease300311a.htm>
- <http://www.legislation.gov.uk/ukpga/2010/23/contents>
- <http://www.justice.gov.uk/guidance/bribery.htm>

Thinking of outsourcing some of your HR activities or need support on a flexible basis?

Contact SmartHR to see how we can assist you

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Suitable mentors may be drawn from staff who...

- are capable of developing good working / professional relationships;
- have wide experience in the organisation;
- can command respect and cooperation from others;
- operate with integrity;
- have shown they have successfully completed this role before or who have the skills that can be built upon to be successful mentors; and
- can show a balance between being supportive and encouraging – *but not interfering or providing all the answers*

If you are thinking about developing a mentoring scheme, be clear on the reasons for wanting to introduce it. Establish who will control the scheme, and how it will link to other areas such as performance management / appraisal. Identify suitable mentors and people that would benefit from being mentees. Provide training for both parties, and regularly review (and adjust if necessary) the scheme on an ongoing basis to ensure that it is achieving its objectives.

So...with all the benefits highlighted, why wouldn't you want to introduce a mentoring programme, or be a mentor if you have the necessary skills and knowledge? Set this as a company or personal objective to establish before the end of 2011. Inspire someone - it really can make a difference...

SPECIAL FEATURE:

MENTORING

Are you inspiring someone to develop?

Are you thinking of setting up a mentoring programme for your company? Or being a mentor? If so, there are many benefits...

For your organisation, the benefits can include...

- helping employees focus on their self-development and reaching their potential;
- helping to improve the personal effectiveness and performance of your people;
- helping to improve staff morale;
- helping to motivate and retain staff; and
- helping to encourage creative thinking and entrepreneurial behaviour.

Mentoring is a technique for allowing knowledge, skills and experience to be transferred to another person in a supportive and challenging environment. It is a long-term approach.

As a mentor, your role will be to focus on the development of your 'mentee'. To take an interest in their working life, encourage their career development and steer them in the direction of acquiring new knowledge and skills. This may be by sharing your own experiences or by creating opportunities for them to experience and learn from new situations.

You will build a good rapport with the mentee, create trust, identify what the person wants out of the mentor / mentee relationship, and help build the person's confidence. You will provide advice and guidance, act as a sounding board, and encourage the person to find the right answer. You will also constructively challenge and empower the person to take responsibility for their ongoing development. At times you may be a shoulder to cry on and a sympathetic ear when needed. Overall though, contributing to someone else's growth and development can be extremely rewarding and satisfying, and can aid your own personal development.

For the 'mentee' on the receiving end of an effective mentoring programme, it can help them to: increase confidence in their abilities, encourage a solutions-orientated approach to problem-solving, be more resourceful, improve their productivity and performance, reflect on learning and experiences, develop their future potential, improve morale, and focus on enhancing their career development.

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£100,000 fine for engineering company over worker death

Melloy Ltd, an engineering company in Wales, has been found guilty of H&S breaches that resulted in one of its employees being crushed to death at work by a falling crate of aluminium car parts. The employee was working overtime alone when the accident occurred. The HSE found that the defective wire rope hoist had been moved when the company relocated premises and had not been examined by a qualified specialist after it was reassembled. **The company was fined £100k and ordered to pay £75k costs.**

Facebook comment about a workplace incident justifies gross misconduct dismissal

Preece v JD Wetherspoons Plc (case ref: ET/2104806/10). Preece had been threatened by customers in the pub where she worked & vented her frustrations by making abusive and inappropriate comments on Facebook – believing that only some work colleagues and friends could view the comments. The customer's daughter saw the comments and complained. The Company's disciplinary policy stated that gross misconduct included a failure to comply with its email, internet and intranet policy, which provided that disciplinary action could be taken in relation to blogs or comments on MySpace or Facebook that "lowered the reputation of the organisation, staff or customers" or an employee committed an act which affected "employee or customer relations or which brings the company's name into disrepute." Preece had previously signed to agree to follow company policies.

FORTHCOMING EMPLOYMENT LEGISLATION CHANGES

UK: 1 Oct 2011 - The Agency Workers Regulations 2010

The regulations provide all agency workers with a right to equal treatment over basic employment and working conditions as if they had been recruited directly by the hirer – if and when they complete a 12 week qualifying period in the job. These include key elements of pay, duration of working time, night work, rest periods and breaks, annual leave / holidays, and paid time off for ante-natal appointments. The Regulations also include new entitlements for agency workers from day one of their assignment with regards to access to facilities at the workplace and the right to be notified of any relevant vacancies.

Employer guidance can be found at:

<http://www.bis.gov.uk/assets/biscore/employment-matters/docs/A/11-905-agency-workers-regulations-guidance.pdf>

UK Government is reviewing the following areas of employment legislation for potential reform:

- 1) Compensation for unlawful discrimination** - it has been suggested making a cap on payouts mirroring unfair dismissal i.e. £68,400, or twice the claimant's annual salary, whichever is greater (rather than it being unlimited);
- 2) Collective redundancies consultation** i.e. amending the 90 day minimum consultation period;
- 3) Removing 'gold-plated' elements of Tupe** e.g. around service provision change;
- 4) Shared parental leave** - parents could share paternity and maternity leave from 2015 – the existing 18 weeks continuous maternity leave and pay would be protected, as well as the current 2 weeks paternity leave, but the remaining 34 weeks of leave would be reclassified as 'flexible parental leave' and made available to either parent on an equal basis;
- 5) Extending the right to request flexible working** - to all people employed for 26 weeks and replacing the current statutory request / application process with a Code of Practice;
- 6) Working Time Regulations** - to allow employers to limit employees' ability to carry over annual leave where they have been unable to take holidays due to long term sickness absence;
- 7) Pay audits** - a proposal to give Employment Tribunals the power to require an employer who has been found liable of discriminatory pay practices to conduct a pay audit and publish its results.

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

UK Employment Tribunal upholds unfair dismissal claim due to an employee being detrimentally treated for asserting a statutory right to take time off for dependants

Clarke v Credit Resource Solutions (2011). Clarke had to make emergency childcare arrangements at the last moment and was half an hour late for work (he hadn't been late before). He was told to sign a late form and would lose an hour's pay. He refused to sign the form. When he received his monthly pay he noticed that he had been deducted an hour's pay. He challenged his manager and was told he had to sign the late form and would receive a final written warning due to his anger. He refused further to sign the late form and was ultimately dismissed. Clarke claimed unfair dismissal as he felt he was being treated detrimentally for exercising his right to take emergency time off to care for a dependant. The employer stated that the dismissal was due to the employee refusing to follow a reasonable management instruction and for his threatening behavior. The Employment Tribunal found that Clarke had suffered a detriment due to exercising a statutory right and that it was automatically unfair.



Looking for fun and creative teambuilding ideas?

SmartHR can work with you to design a suitable teambuilding activity day or programme. Team members will practice: openly discussing ideas and options for taking the activities forward, negotiating, persuading, influencing, decision making, planning and organising, prioritising, communicating effectively, managing a budget, and working together to produce a final product / result.

Call Gail on 619619 to discuss your teambuilding requirements

SmartHR is delivering the following 'Skills Workshops' in order to enhance people management performance:

21 July - Effective Recruitment & Selection (1 day)

25 July - Negotiating & Influencing (1 day)

28 July - Effective Time Management (1/2 day - am)

29 July - Managing Stress (1/2 day - am)

29 July - Delegation Skills (1/2 day - pm)

Aug 3 - Effective Appraisals & Objective Setting (1 day)

Aug 4 - Effective Team Meetings (1/2 day - am)

Aug 4 - Coaching & Feedback Skills (1/2 day - pm)

Aug 11 - Managing Absence (1 day)

Further details can be found on the Events Page at www.SmartHR.co.im

To book – contact Gail on 619619 or email: gail@SmartHR.co.im

