



Welcome to SmartHR's March 2012 E-Newsletter

We hope you find this 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](#)

UK: Parental Leave Changes Postponed

Parental Leave Directive 2010 – The European Council Directive, which comes into force on 8 March 2012, will give each parent of a child under the age of 5 the right to take up to 18 weeks' unpaid parental leave. This will be an extension to the current 13 week entitlement. The UK Government has asked for a year's grace in introducing the changes to legislation as part of its Modern Workplace Initiative. ***The Directive will now come into force in the UK from March 2013.***

Currently, parents of a child under the age of 5 each have the legal right to take up to 13 weeks' unpaid parental leave until the child's 5th birthday, with adoptive parents entitled to 13 week's unpaid parental leave until the 5th anniversary of adoption, or until the child's 18th birthday, whichever comes first.

Parents or adoptive parents of disabled children are entitled to up to 18 weeks' parental leave each until the child's 18th birthday. The entitlement applies to each individual child, and to qualify the parental must have been continuously employed for at least 1 year.

IOM Parental Leave Entitlement – for the IOM, an employee with 1 year's continuous service is entitled to take 18 weeks' parental leave without pay for the purposes of caring for a disabled child for who he/she has responsibility. For this purpose a disabled child is one who is entitled to Disability Living Allowance. The employee must have parental responsibility for the child, or is registered as the child's father in the register of births.

The leave must be taken before the child's 18th birthday, and not more than 4 weeks' leave may be taken in any year (leave for less than a week counts as a week's leave). The employee must give 21 days' notice of his/her intention to take leave. The employer has the right to postpone leave for up to 6 months on business grounds.

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
- **Online E-HR Shop to purchase template employment documents**



Training:

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

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UK: Proposed Reforms to Rehabilitation of Offenders Act

The UK Government is considering reforms that that will reduce the time period in which job applicants tell employers about past criminal convictions. The time in which jail sentences and convictions are considered spent (and no longer have to be declared) could be halved. The aim of the reform is to boost employment opportunities for those with a criminal history.

Under the proposals, custody periods of up to 6 months would be considered spent 2.5 years after leaving jail (compared with the current timescale of 7 years after conviction).

Prison terms of 6 months to 2.5 years would be spent 6.5 years after leaving jail (compared with 10 years afterwards).

Sentences of between 2.5 and 4 years would be spent 11 years after leaving jail (compared with always being declared).

Community Order Services which are currently live for 5 years would reduce to be spent after 1 year.

Jail sentences of more than 4 years will always have to be declared.

Life sentence prisoners, those given extended prison terms, and those seeking to work with children will have to continue to disclose their convictions to prospective employers.

Need support with HR matters?
Contact Gail on **619619 / 478764**,
email gail@SmartHR.co.im
or visit
www.SmartHR.co.im

SPECIAL FEATURE: HOW TO PUSH YOUR TEAM

- **Be explicit.** Does every team member know the difference between competent and outstanding? Explain clearly what exceptional performance looks like and what the rewards are.
- **Spot what stops them.** Help people identify what's holding them back. Whether it's crumbling self-belief (create achievable actions to boost their confidence) or just a chatty neighbour (change the seating plan), fix it together. And fix it fast.
- **Empower them.** Don't confuse pushing with micro-managing; let those who can handle it reach peak performance in their own way. Use outcome-focused briefs, avoid rigid sets of instructions and encourage creativity, then watch them drive themselves harder than you ever could.
- **Inspire.** Steve Jobs once said "If you are working on something exciting that you really care about, you don't have to be pushed. The vision pulls you." Explain the dream behind your high standards and rave until they're also desperate to get there.
- **Keep talking.** Specific, stretching goals will only work if you evaluate them. Meet individuals regularly to discuss progress against clear measures. Grafters will be encouraged to try new challenges; coasters will get a wake-up call.
- **Practise what you preach.** Be their role model. Are you pushing yourself as hard as you're pushing them?
- **What's in it for them?** People will always strive harder towards their own goals than someone else's. Help them define their future then show them how it fits into the overall vision.
- **Create competition.** Publicly praise star performers. There's nothing like a little rivalry to keep the troops on their toes.
- **Say thank you.** Take a moment to celebrate victories before you set your team their next challenge. Host a team lunch, give them an early finish, send a praising email. You can only push a team thanklessly for so long before they push off...

The Mind Gym: Relationships is published by Little, Brown – www.themindgym.com/books

UK: Collective Redundancy Consultation Periods

Employers support proposals to reduce the 90-day statutory consultation period when making 100 or more redundancies. Currently, employers proposing to make redundancies of between 20 and 99 employees are required to allow at least 30 days consultation with staff before any job cuts can take effect. The CIPD, CBI and British Chamber of Commerce support the proposal to reduce the longer consultation period for 100 or more redundancies. The Government's response is expected in the near future.

UK: Employment Tribunal awards £30,000 to employee who was subject to a barrage of shouting

A Professor who worked for Manchester University shouted and belittled a Scientist, who subsequently resigned claiming constructive dismissal and that he was bullied and treated in a derogatory manner. The ET judge said that the Professor had overstepped the boundary of what can be considered to be proper behaviour. The Tribunal panel found that the Scientist was subjected to constructive and unfair 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

UK: Unfair Dismissal - qualifying period increase

On 6 April 2012, the qualifying period for gaining employment protection rights for unfair dismissal will increase from 1 year to 2 years. **This will only apply to employees who start a new job on or after 6 April 2012.** Employees that are already in employment before 6 April 2012 will retain the 1 year qualifying period. *Note that the increased qualifying period will not affect claims where a qualifying period is not needed e.g. discrimination or whistleblowing.*

UK: Changes to Tribunal Procedure

On 6 April 2012 various changes will be made to the Tribunal procedure. Witness statement will not be read out but will be taken as read by the Tribunal. Judges will sit alone without lay members for some unfair dismissal cases. Expenses will be withdrawn for witnesses. The amount of costs a Tribunal can award without referring to the County Court will increase from £10k to £20k. In addition, the amount of the deposit that Tribunals can order a claimant to pay before proceeding with a claim will increase from £500 to £1k.

UK: Tribunal Fee Reforms

The Ministry of Justice's consultation on tribunal fee reforms is due to close on 6 March 2012. It proposes 2 options for the introduction of fees to lodge UK Employment Tribunal claims:

- **Option 1:** claimants would pay an initial fee of £150 - £250 for lodging an employment tribunal claim, followed by a fee of £250 - £1,250 if the case proceeds to a hearing. The level of the fee would depend on the nature of the claim – unpaid wage claims would be at the lower level, with unfair dismissal fees in the middle, and equal pay, discrimination and whistleblowing claims at the top of the range. If claims involved more than one type of complaint they would attract the fee payable for the highest claim.
- **Option 2:** claimants would pay a one-off fee at the outset of the claim. As with Option 1, the nature of the claim would determine the level of the fee. In addition the potential value of the compensation claim is also a factor. Claims with potential compensation worth £30,000 or more would pay a fee of £1,750. Claims that are lower in compensation value would attract a lower fee starting at £200.

Tribunals would have the power to order the losing party to reimburse the fees paid by the winning party.

The number of UK tribunal claims has doubled between 2004 / 2005 and 2010 / 2011 to 218,000 at an estimated cost to the taxpayer of £84 million a year.

Other news...

- **UK Identity Documents:** from the end of Feb 2012 a biometric residence permit replaces the range of documents UK employers currently use to check an individual's right to work in the UK. The permits will be issued to all migrants from outside the EEA who successfully apply in the UK to stay for more than 6 months. From Spring 2012, employers will be able to verify online that an employee's or prospective employee's permit details are correct. Employers can be subject to penalties of up to £10k per illegal worker.
- **UK Pensions Auto-Enrolment:** The Dept for Work and Pensions has revised its proposed timetable for pensions auto-enrolment. Firms with at least 250 staff will start auto-enrolment on 1 Oct 2012 and conclude it on 1 Feb 2014. 50 to 249 staff between 1 April 2014 and 1 April 2015. 30 to 49 staff between August and October 2015. Under 30 qualified employees will enrol from 1 Jan 2016 to 1 Apr 2017. Newly created companies by Oct 2017. The 1% min employer contribution will rise to 2% on 1 Oct 2017, then to 3% on 1 Oct 2018. A consultation and draft regulations will follow soon.



SmartHR's Recruitment Services

Executive Appointments
General Recruitment
Interim Positions

We will work in partnership with you to understand your needs and provide you with a *professional, confidential and dedicated personal service.*

Contact Gail on 619619 / 478764 to discuss your requirements

<http://www.SmartHR.co.im/recruitment>

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

Mar 27: Negotiating & Influencing

Apr 17: Effective Recruitment & Selection

Apr 19: Managing Discipline & Grievances

Apr 25: Managing Absence

May 3: Effective Appraisals

May 8: Managing Performance

May 10: Coaching & Feedback Skills (am)

May 10: Delegation Skills (pm)

May 23: Managing Performance Problems

June 19: Effective Team Meetings (am)

June 19: Effective Time Management (pm)

June 21: Customer Care, Telephone & Time Management Techniques

June 27: Managing Stress (am)

June 28 & 29: Train the Trainer

Visit the **Training page** of our website for details of all of our training workshops. For a *cost effective quote* to deliver any of the courses internally, please email gail@SmartHR.co.im

Further details can be found at

www.SmartHR.co.im

We can also create bespoke courses

