



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**

Welcome to SmartHR's September 2011 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

Employment Legislation Changes in Oct 2011

UK: Abolition of Default Retirement Age (age 65) - the Default Retirement Age of 65 will be abolished in the UK from 1 Oct 2011. If you have not done so already, amend your employment contracts and complete a review of other areas that may be affected by this legislation.

UK: Agency Workers Regulations - the Agency Workers Regulations will be effective in the UK from 1 Oct 2011 providing all agency workers with a right to equal treatment over basic employment rights once they have completed a 12 week qualifying period. If you have not done so already, review your agency worker arrangements now.

Legislation Under Review

UK: Unlawful Discrimination - legislation is being reviewed to consider implementing a maximum cap (suggested £50k) on employment tribunal compensation awards for unlawful discrimination – awards are currently *unlimited*.

UK: Extension of Flexible Working – the Government plans to extend the right to request flexible working to all employees in 2012.

UK: Parental Rights – The Parental Rights Directive was adopted on 8 March 2010 increasing parental leave from 3 to 4 four months. Member states have 2 years to implement this. The leave is still unpaid. In January 2012 the Adoption Bill is expected to bring pay, allowances and leave for adoptive parents into line with birth parents. Consultation is underway regarding a system of shared flexible parental leave from 2015.

UK: Tribunals – consultation is underway on reforming employment tribunals. Proposal include increasing the qualifying period for claiming unfair dismissal from 1 to 2 years, and introducing a fee for lodging a tribunal claim.

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In the current economic climate where there are many budgetary constraints, and concerns over job security, remember that some things don't cost money – such as taking the time to thank someone for doing a job well done! *This can be a powerful and motivating recognition tool to use.*

Try to ascertain what motivates your people. Make your recognition as specific and meaningful as possible, and offer a choice of rewards. Ask some key questions:

- What do we want to achieve?
- Does our strategy and plan cover this?
- What rewards will we use?
- Will they appeal to everyone?
- Will the different recognition initiatives apply to all levels of employees within the company?
- How will we ensure that people are recognised in a timely manner to reinforce the positive behaviour and encourage a repeat of it?
- How will we track and measure the recognition programmes, and how often?
- What will success look like?
- How will we celebrate success?
- Who will we communicate it to?

Take time to plan how you will launch and communicate your recognition initiatives. How will you brand these to your people i.e. your internal customers? Who needs to be involved? Once launched, ensure that there is regular communication regarding recognition and engagement. Embed it within your Company's culture and ensure that it is kept alive. It is important to review and measure that your recognition strategy is working effectively, listen to your people, reassess your priorities, and adjust your plans accordingly to make continuous improvements.

SPECIAL FEATURE:

CREATING A RECOGNITION STRATEGY

Effectively engaging your employees via a planned recognition strategy can make a significant positive impact on your business. Engaged and motivated employees will be focused on delivering results for you, your business and your clients; and recognised and rewarded for doing so.

So...how do you create a recognition strategy?

Firstly, you should review what the current status is with regard to recognition and engagement for your organisation. You can do this by conducting an employee survey and analysing the results. You could then investigate what recognition and reward programmes your competitors have in place. Are you able to ascertain if they are successful or not?

Next, you should consider the sort of behaviours that you want your employees to demonstrate. Behaviours that you want to encourage, recognise and reward. These could be linked to:

- **Achieving company / department / team / individual goals or targets;**
- **Living your company's values;**
- **Recommending talent to your company;**
- **Peer recognition / employees recognising each other;**
- **Being innovative;**
- **Improving productivity;**
- **Improving service levels;**
- **Identifying cost savings;**
- **Identifying new products or services;**
- **Contributing to the community.**

This will then enable you to start creating your recognition strategy and plan linked to the behaviours that you have identified as being important for your organisation.

As with other business initiatives, it is important that there is buy-in from senior management and a budget is established. Recognition Professionals International (RPI) recommends starting with 1%-3% of your total employee compensation.

It is also important to remember that people are motivated by different things. A satisfying job in a company that values its employees, which has effective managers, good communication structures, and career development processes backed by effective reward and recognition programmes *can* make a difference.

2012 Bank Holiday News

The IOM will have an extra bank holiday on Friday 6 July 2012 to celebrate Queen Elizabeth II's Diamond Jubilee. Tynwald Day will fall on Thursday 5 July 2012 to make a 4 day long weekend.

The UK's additional bank holiday will be on Tuesday 5 June 2012, and the late May bank holiday will be moved to Monday 4 June 2012.

Time Off for Olympics

Employees who are accepted as volunteers for the Olympics in 2012 do not have an automatic right to time off work. You will need to review how you will treat such requests e.g. the time is taken as annual leave, unpaid leave etc. Also review how you will deal with staffing levels where multiple requests are received following successful ticket allocations.

Bribery Act 2010

Your employees may receive offers of hospitality or provide offers of hospitality for the Olympics. Ensure you have appropriate guidelines in place.

Social Networking Use at Work

As the use of social networking sites such as Twitter, Facebook and LinkedIn increases, ACAS has launched its first guide to help employers manage social media policies.

Find out more at

<http://www.acas.org.uk/socialnetworking>

Tribunal Cases of interest....

Wincanton v Atkinson (Case ref UKEAT/0040/11): Two HGV drivers needed to review their HGV licence every 5 years or they expired. Following a regular review it was found that both drivers' licences had expired. Due to the serious impact of driving without a valid driving licence and that it was a criminal offence, both people were dismissed. A tribunal found the dismissals unfair, assessing that the risk and consequences were hypothetical as no actual damage had been done. The EAT overturned the tribunal's decision as the employer's actions fell within the *band of reasonable responses* and it had the right to take into account the potentially serious consequences that could have occurred. **Dismissing for negligence may be reasonable even where no damage is actually done.**

Siddons v The Tontine Hotel (Case ref UKEATS/0055/10/BI)

A Kitchen Porter and Head Chef were dismissed for gross misconduct for taking drinks from the hotel bar. The tribunal found that the employer, after investigation, was entitled to find that the conduct did take place – but the dismissal was found to be *procedurally unfair* because:

- The person who conducted the investigation was involved in the disciplinary hearing
- The person who took the dismissal decision wasn't present at the disciplinary hearing – instead they relied on second-hand information

The employees appealed the dismissal with no complaint about the employer's conduct. The tribunal found that the re-hearing of the case during the appeal process had mitigated / cured the majority of the previous procedural irregularities, and assessed that if the correct procedure had been followed the employees would still have been dismissed. Due to the circumstances the tribunal reduced the compensatory award by 100% and the basic award by 75%. The employees appealed to the EAT against the deductions but their appeal was rejected. The basic award reduction was then increased to 100%. **The outcome being that the tribunal considered that the internal appeals process completed 'cured' the original procedurally unfair dismissal, entitling both claimants to no award.**

NHS Leeds v Larner (Case ref UKEAT/0088/11/CEA)

In this case a worker who had been on sick leave for a whole holiday year who had not taken or requested holiday leave, or requested the entitlement was carried over to the next year, was entitled to be paid for the year's unused statutory holiday entitlement when her employment was terminated.

An ECJ ruling is awaited on the separate case of KHS AG v Shulte where the AG's view was that 18 months is an acceptable time limit on accumulating holiday rights. The decision could lead to a change in the Working Time Regulations.

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

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Other news...

- The FSC has released updated guidance on the responsibilities and duties of Directors under the laws of the IOM. Copies of the guidance can be found at: <http://www.gov.im/lib/docs/fsc/guidanceontheresponsibilitiesand.pdf>
- Recruitment firm Hyphen polled 1,008 workers and found that almost a third of people would sacrifice pay for more holidays. More than 2/5ths of 16-24 year olds would be willing to consider a lower base salary if the holiday entitlement was increased. *Offering a flexible benefits package could assist with attracting and retaining staff.*
- A PwC study has found that 4 in 5 companies would be increasing executive pay in 2012. 65% expected the increase to be in base salary. Bonuses are expected to remain stagnant for top Directors of FTSE350 companies. 30% of employers anticipate an increase in other pay components such as long-term incentives. 85% said bonus increases were not expected. 30% of respondents said their employers were planning to “claw back” in 2012 where outstanding deferred shares or long-term incentives could be reduced if individuals under-performed.



SmartHR's NEW Recruitment Services

Whether you are an employer looking to fill a specific job vacancy, or a candidate seeking a new opportunity, we will work in partnership with you to understand your needs and provide you with a *professional, confidential and dedicated personal service.*

If you are an employer with a vacancy to fill – contact us on **619619** to discuss your vacancy needs, or upload details of your vacancy online at <http://www.SmartHR.co.im/recruitment>

Looking for a new opportunity or a change of direction? It's easy to register!
Call us on **619619** or register online at <http://www.SmartHR.co.im/recruitment>

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

- 19 Sept: Coaching & Feedback Skills (1/2 day - pm)**
- 20 Sept: Effective Appraisals & Objective Setting (1 day)**
- 23 Sept: Managing Stress (1/2 day – am)**
- 23 Sept: Effective Time Management (1/2 day – pm)**
- 5 Oct: Effective Team Meetings (1/2 day – am)**
- 5 Oct: Delegation Skills (1/2 day – pm)**
- 13 Oct: Recruitment & Selection (1 day)**
- 19 Oct: Managing Performance (1 day)**
- 25 Oct: Managing Discipline & Grievances (1 day)**
- 27 Oct: Managing Performance Problems (1 day)**
- 3 Nov: Managing Absence (1 day)**
- 8 Nov: Negotiating & Influencing (1 day)**
- 10 & 11 Nov: Essential HR for Line Managers (2 days)**
- 22 & 23 Nov: Train the Trainer (2 days)**

These courses can be also be delivered internally and are a cost effective alternative for training 4 or more people

Further details can be found on the Events Page at www.SmartHR.co.im
To book email: gail@SmartHR.co.im

